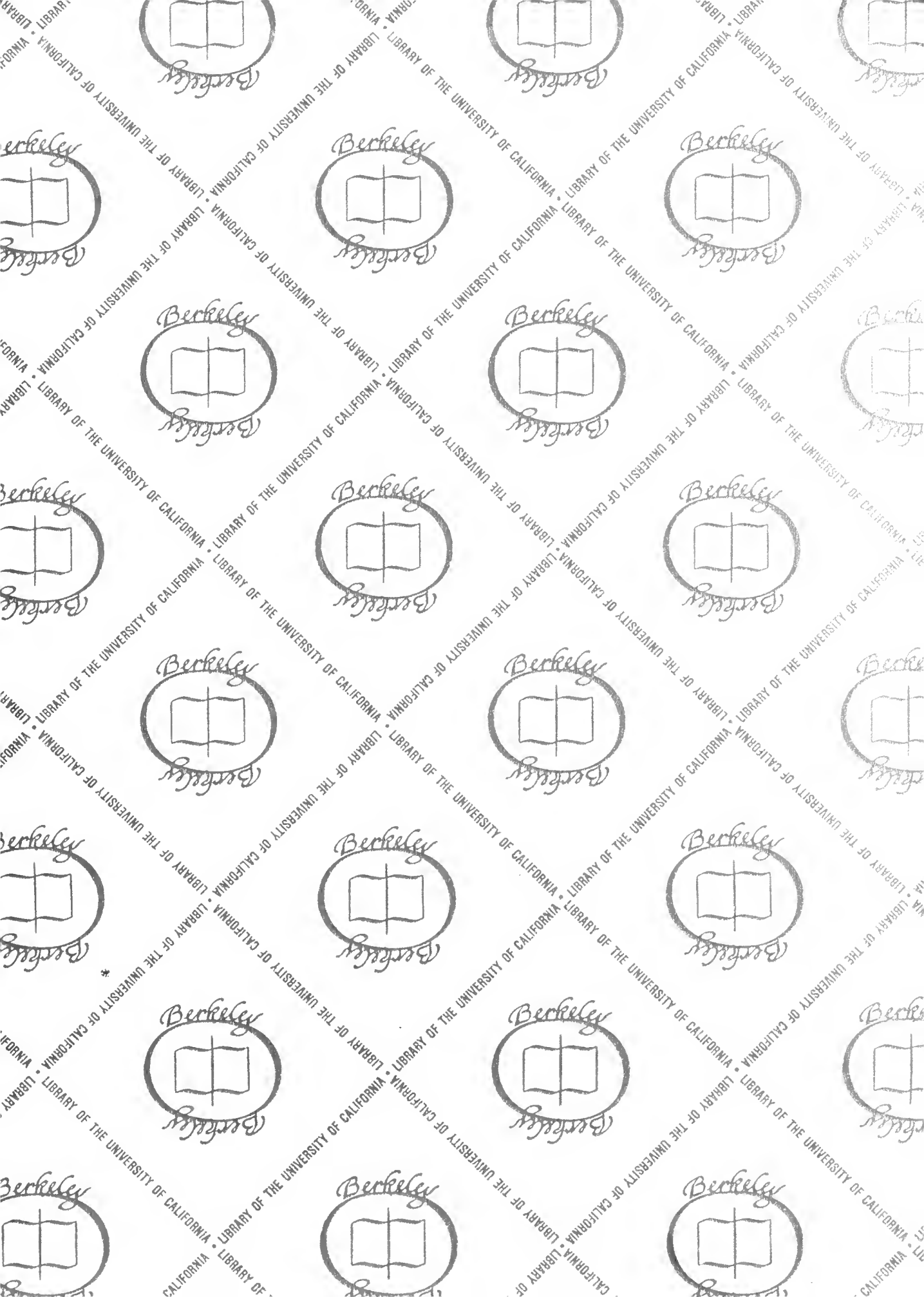
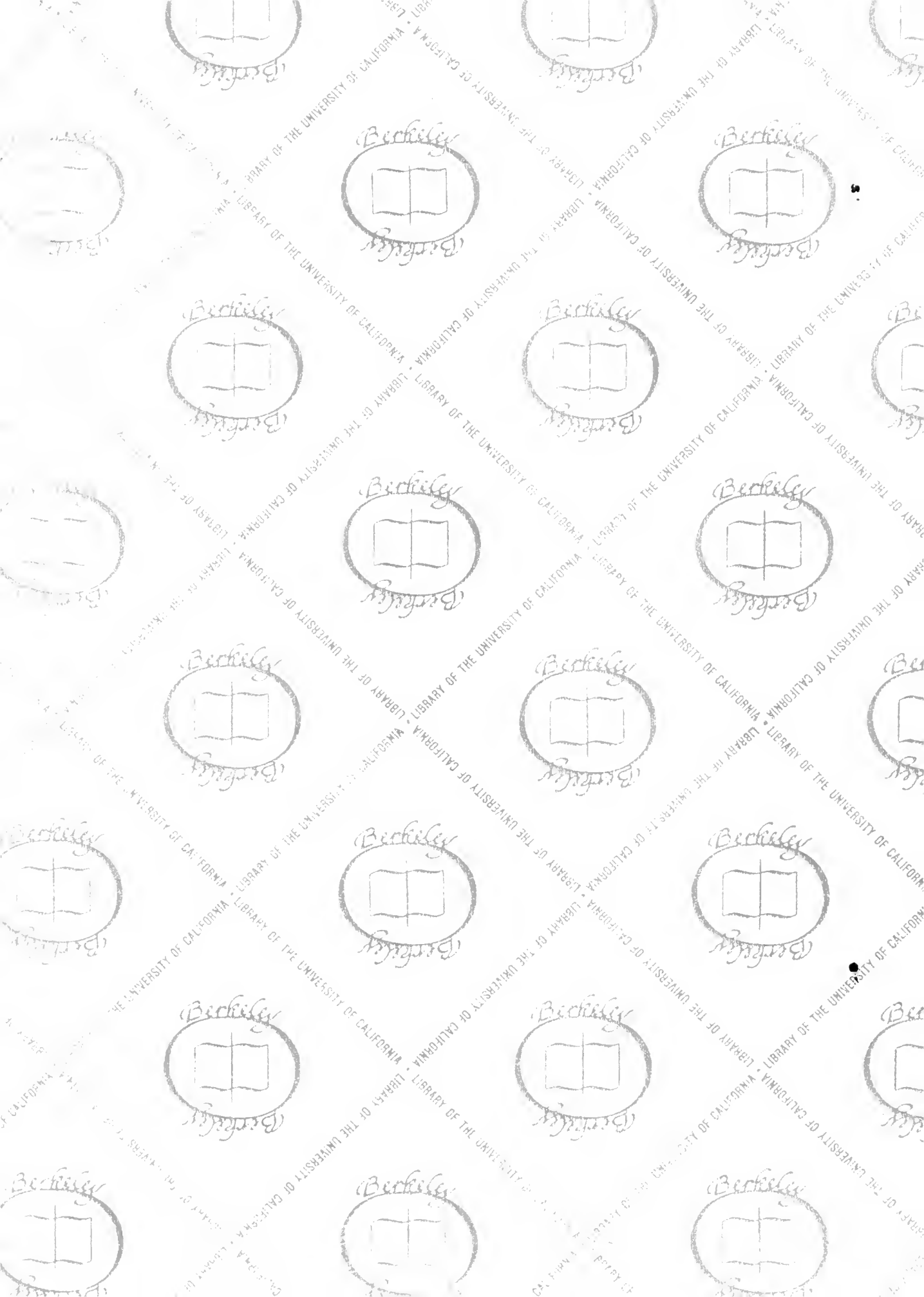


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Regional Oral History Office  
The Bancroft Library

University of California  
Berkeley, California

Government History Documentation Project  
Ronald Reagan Gubernatorial Era

THE ASSEMBLY, THE STATE SENATE, AND THE GOVERNOR'S OFFICE,  
1958-1974

William Bagley	Some Complexities of Social Progress and Fiscal Reform
James R. Mills	A Philosophical Approach to Legislative and Election Realities, 1959-1981
Robert T. Monagan	Increasing Republican Influence in the State Assembly
Albert Rodda	Sacramento Senator: State Leadership in Education and Finance

Interviews Conducted by  
Gabrielle Morris, Sarah Sharp  
1979-1981

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## PREFACE

California government and politics from 1966 through 1974 are the focus of the Reagan Gubernatorial Era Series of the state Government History Documentation Project, conducted by the Regional Oral History Office of The Bancroft Library with the participation of the oral history programs at the Davis and Los Angeles campuses of the University of California, Claremont Graduate School, and California State University at Fullerton. This series of interviews carries forward studies of significant issues and processes in public administration begun by the Regional Oral History Office in 1969. In previous series, interviews with over 220 legislators, elected and appointed officials, and others active in public life during the governorships of Earl Warren, Goodwin Knight, and Edmund Brown, Sr., were completed and are now available to scholars.

The first unit in the Government History Documentation Project, the Earl Warren Series, produced interviews with Warren himself and others centered on key developments in politics and government administration at the state and county level, innovations in criminal justice, public health, and social welfare from 1925-1953. Interviews in the Knight-Brown Era continued the earlier inquiries into the nature of the governor's office and its relations with executive departments and the legislature, and explored the rapid social and economic changes in the years 1953-1966, as well as preserving Brown's own account of his extensive political career. Among the issues documented were the rise and fall of the Democratic party; establishment of the California Water Plan; election law changes, reapportionment and new political techniques; education and various social programs.

During Ronald Reagan's years as governor, important changes became evident in California government and politics. His administration marked an end to the progressive period which had provided the determining outlines of government organization and political strategy since 1910 and the beginning of a period of limits in state policy and programs, the extent of which is not yet clear. Interviews in this series deal with the efforts of the administration to increase government efficiency and economy and with organizational innovations designed to expand the management capability of the governor's office, as well as critical aspects of state health, education, welfare, conservation, and criminal justice programs. Legislative and executive department narrators provide their perspectives on these efforts and their impact on the continuing process of legislative and elective politics.

Work began on the Reagan Gubernatorial Era Series in 1979. Planning and research for this phase of the project were augmented by participation of other oral history programs with experience in public affairs. Additional advisors were selected to provide relevant background for identifying persons to be interviewed and understanding of issues to be documented. Project research files, developed by the Regional Oral History Office staff to provide a systematic background for questions, were updated to add personal, topical, and chronological data for the Reagan period to the existing base of information for 1925 through 1966, and to supplement research by participating programs as needed. Valuable, continuing assistance in preparing for interviews was provided by the Hoover Institution at Stanford University, which houses the Ronald Reagan Papers, and by the State Archives in Sacramento.

An effort was made to select a range of interviewees that would reflect the increase in government responsibilities and that would represent diverse points of view. In general, participating programs were contracted to conduct interviews on topics with which they have particular expertise, with persons presently located nearby. Each interview is identified as to the originating institution. Most interviewees have been queried on a limited number of topics with which they were personally connected; a few narrators with unusual breadth of experience have been asked to discuss a multiplicity of subjects. When possible, the interviews have traced the course of specific issues leading up to and resulting from events during the Reagan administration in order to develop a sense of the continuity and interrelationships that are a significant aspect of the government process.

Throughout Reagan's years as governor, there was considerable interest and speculation concerning his potential for the presidency; by the time interviewing for this project began in late 1980, he was indeed president. Project interviewers have attempted, where appropriate, to retrieve recollections of that contemporary concern as it operated in the governor's office. The intent of the present interviews, however, is to document the course of California government from 1967 to 1974, and Reagan's impact on it. While many interviewees frame their narratives of the Sacramento years in relation to goals and performance of Reagan's national administration, their comments often clarify aspects of the gubernatorial period that were not clear at the time. Like other historical documentation, these oral histories do not in themselves provide the complete record of the past. It is hoped that they offer firsthand experience of passions and personalities that have influenced significant events past and present.

The Reagan Gubernatorial Era Series has been funded by the California Legislature through the office of the Secretary of State and by the generosity of various individual donors. Several memoirs have been funded in part by the California Women in Politics Project under a grant from the National Endowment for the Humanities, including a matching grant from the Rockefeller Foundation; by the Sierra Club Project also under a NEH grant; and by the privately funded Bay Area State and Regional Planning Project. This joint funding has enabled staff working with narrators and topics related to several projects to expand the scope and thoroughness of each individual interview involved by careful coordination of their work.

The Regional Oral History Office was established to tape record autobiographical interviews with persons significant in the history of California and the West. The Office is under the administrative direction of James D. Hart, Director of the Bancroft Library, and Willa Baum, head of the Office. Copies of all interviews in the series are available for research use in The Bancroft Library, UCLA Department of Special Collections, and the State Archives in Sacramento. Selected interviews are also available at other manuscript depositories.

July 1982  
Regional Oral History Office  
486 The Bancroft Library  
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Gabrielle Morris  
Project Director

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GOVERNMENT HISTORY DOCUMENTATION PROJECT  
 Ronald Reagan Era, 1966-1974  
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Oral History Program, Claremont Graduate School, Claremont, California, 91711.

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## INTRODUCTION

In considering the operation of state government, it is useful to remember that the legislature has its own internal dynamics, as do each of the bureaus, departments, and branches of government, and that these dynamics to a significant extent shape the thinking and actions of many of its members. Who are its leaders, what are the rules, and how can the legislative houses place their imprint on the policies and programs that shape the state: these are the questions that define the outcome of many issues.

The most visible focus for these dynamics is often the legislature's relationship with the governor's office. In spite of, or perhaps because of, shared responsibilities for the conduct of government, there is a tension between the two that, depending on one's viewpoint and changing circumstances, can strengthen the eventual decisions or produce stalemate and inaction. Key players in the legislative arena are usually also acutely aware of the attitudes and administrative style prevailing in the governor's office. For this reason, the Government History Documentation Project of the Regional Oral History Office has attempted to record the range of viewpoints in the legislature in regard to each governor whose tenure has been studied.

The following interviews with four California legislators who held leadership roles in the state assembly and senate in the 1960s and 1970s have been designed to provide firsthand information on this interaction between the governor and the legislature and also on the evolution of the legislative process itself. These interviews were begun during study of the Goodwin Knight and Edmund G. Brown, Sr. administrations and were completed as part of the Ronald Reagan Gubernatorial Era phase of the project. While they concentrate on events of the earlier administrations, they include references to Governor Edmund G. Brown, Jr., who was in office when the interviews were recorded. Additional interviews with legislators may be located by consulting the series list.

Each narrator in this volume speaks from a unique vantage point. After service in the assembly where he early became allied with strongman Jesse Unruh, Democrat James Mills became president pro tem of the senate and was an articulate spokesman for the positions of the upper house. Robert Monagan was the only Republican to be elected Speaker of the Assembly for twenty years and shared many of Unruh's ideas on legislative organization. Elected to the assembly in the same year as Monagan, William Bagley was an able strategist for Monagan's elevation to the speakership and for innovative tax legislation. Albert Rodda was for many years dean of the

senate, an independent sort of Democrat who rose to chairmanship of the Senate Finance Committee on the strength of his understanding of the intricacies of public funding of education. With bipartisan unity, none of them speaks with wholehearted admiration of any of the governors with whom they served.

During Pat Brown's years in office, major new social programs and state construction were undertaken, and the legislature began a concerted effort, as did other state legislatures, to strengthen and professionalize its operations. Experienced in state government, Brown was informal and relaxed with the assembly and the senate, which some felt created a power vacuum that encouraged the legislature to expand its influence. The Reagan administration was dedicated to cutting back the cost and scope of state programs, some of which had expanded seemingly beyond control. Most of the governor's staff had not been in government before and experienced difficulty in dealing with the legislature for several years. These four interviews provide valuable commentary that illuminates the marked differences between these two administrations and offers insight into such specific issues as health and welfare reform, educational policy, and a variety of tax revisions and political campaigns.

One theme that recurs throughout the interviews, and others with legislators of this period, is a strong commitment to the autonomy of the legislature. Although they tend not to remember the details of struggles over individual bills that fascinate a researcher in later years, these "men of the house" provide a lively sense of the broad strategies and coalitions involved in deciding public issues. And they are insistent that the governor, whoever he or she may be, should hear their views fully and treat with them as equals, even if they have to create a confrontation in order to get his or her attention.

Gabrielle Morris  
Project Director

24 June 1982  
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Berkeley, California

Government History Documentation Project  
Ronald Reagan Gubernatorial Era

William Bagley

SOME COMPLEXITIES OF SOCIAL PROGRESS AND FISCAL REFORM

An Interview Conducted by  
Gabrielle Morris  
in 1981





WILLIAM BAGLEY

ca. 1980



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## INTERVIEW HISTORY -- William Bagley

Interviewing William Bagley is rather like tape-recording an organized whirlwind. A solid, cherubic sort of person, Bagley had considered the interview outline sent him in advance, decided what he wished to say, and sailed through a well-constructed, virtuoso explanation of the state legislature's experience with Governor Ronald Reagan, in what seemed like an extended anecdote. Puffing good-naturedly on one cigarette after another, he would occasionally pause to let the interviewer back up to a previous point that merited further explanation. His lively commentary, which follows, is a good example of the broad understanding of government process and articulate advocacy that made him a leader in the California assembly from 1961 through 1974.

Bagley came to Sacramento from heavily-Republican Marin County, intent on developing a moderate group in the legislature which would provide a progressive party stance on social issues. Several others were of similar mind, including fellow freshman assemblymen Flournoy, Monagan, and Veneman. Together these "young turks" made a name for themselves both in committee work and laboring for the election of other Republican candidates. Their views put them at odds with the well-organized conservative element which was increasingly important in the Republican party after the Goldwater campaign of 1964 and became dominant with the election of Ronald Reagan in 1966. Reagan's years as governor and the struggle to resolve these conflicting positions in the critical area of state finance are the focus of this interview.

For the legislature, early relations with Governor Reagan's office were the "two-by-four stage of government", according to Bagley. There were "ideologues who weren't going to listen to any of us...The thing to do with any bill the governor had in my committee in '67 was to kill it and show these guys that they ought to pay attention to us so we could govern the state."

"As the first wave of people left, the atmosphere changed--Ronald Reagan doesn't have an evil bone in his body...that was a plus...then people like Meese came to the fore and started saying, 'we've got to make this system work, we can't just fight our little ideological fights.'" Verne Orr, too, as director of finance, is credited with being a rare Reagan appointee who would sit down in a legislator's office after work to thrash out a problem.

Early in 1971, the long wrangle over fiscal reform that had begun during the Pat Brown administration began to culminate in a massive revision of the state income tax structure. At the bipartisan urging of legislative leaders, Reagan's people agreed to meet with them. For six weeks, they worked together to iron out the details of the bill. "One week solid with Reagan there--then with the governor's staff, getting each day's revisions into print for action by the legislature. That's good government process."

Parenthetically, Bagley asserts that these revisions (narrowing the size and increasing the number of state income-tax brackets) caused the state revenue surplus which led to Proposition 13, the taxpayers' revolt of 1978. But the legislature and the Governor were on speaking terms with each other. The process was repeated later in the year on the equally-contentious subject of welfare reform and again worked relatively smoothly. Bagley suggests that subsequent lower welfare costs were due more to reduced client rolls which followed passage of the 1967 Beilenson bill liberalizing abortion than to the tighter eligibility rules insisted on by the Governor; nevertheless, the process of negotiation was "productive and good government and saved a few bucks to boot--and it was fun."

Toward the end of the two-and-a-half hour interview session, Bagley offered a few philosophical insights based on his fourteen years in state office. On his unsuccessful campaign for state controller, "You have to get out [of the legislature] or you become hamburger." On politics in general, "Beware of reform!" And on the legislative stance of the Reagan administration, "It might even be that we needed a plateau period where you didn't make major social progress after the frenetic civil rights activities of the '60s. You can't just keep hammering at people. Sometimes you need a becalming of the body politic."

The interview was conducted on Dec. 21, 1981, in Mr. Bagley's office in San Francisco's Embarcadero Center, where he then was practicing public interest law with a former assembly colleague, Democrat John Knox. Knox too has been interviewed by the Regional Oral History Office and provides valuable observations of Governor Reagan and of land-use planning legislation and agencies. Bagley reviewed the edited transcript of his own interview in April 1982. He made only minor emendations and returned it promptly for final processing.

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19 July 1982  
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## I PERSONAL BACKGROUND; ELECTION TO THE ASSEMBLY

[Interview 1: December 21, 1981]##

Youth and Education; Political Philosophy

Morris: Why don't we start with a little bit of personal background to kind of give us a sense of you as a person. You are a Californian?

Bagley: Okay, if we are going to start with personal background I was asked if I was a Californian. My family goes back to 1856, on my mother's side, when my great grandfather had the first spaghetti factory in San Francisco. We won't burden you with a hundred years of family history! I was raised in Woodacre, Marin County, after the Depression came along. That was our only home--the summer house with a homestead on it. [I went to] San Rafael High School and then UC Berkeley, class of '49, valedictorian--that was the biggest audience I have ever had, about thirty thousand people--and then UC Law School, Boalt Hall, '52.

Morris: Why did you pick the law?

Bagley: I think at about the age of eight or nine my father had a little card printed for me saying "attorney at law." Basically, I think it was his inspiration. He went to work at the age of thirteen out of grammar school and never did his thing and he, and undoubtedly sort of subliminally, made sure that I was motivated to go to law school. I think it was something that he had wanted to do and didn't do. That's the quick family history.

Morris: Then you went back to Marin to practice law?

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##This symbol indicates that a tape or a segment of tape has begun or ended. For a guide to the tapes see page 57.

Bagley: I got out of law school at the age of twenty-two or three and, hell, just a couple of years before that I had been throwing rotten tomatoes on Halloween at cars and being hauled into police stations. In other words, I was too young to go practice law at twenty-two or three in a small community. I spent four years in San Francisco and in 1956 joined what was one of the bigger firms--four or five-man firm in Marin County then was big; today about fifteen is big. So from '56 to '60 I was there as a young lawyer in Sam Gardiner's law firm. Sam was a very active Democrat, which is neither here nor there.

It was evident that I was a participant in public affairs generally.

Morris: Was this something that your father had--?

Bagley: Not really, not really. I think it was just a natural evolution through high school offices.

Morris: You had been involved in student--

Bagley: The whole gamut, the whole gamut from grammar school class president on up. So it was a natural thing and, of course, yes, you have to have some political identification. I will give you a quick genesis of my Republicanism. I took econ at Cal, and during the late forties I was sort of steeped in--I don't want to call it Keynesian per se--but steeped in Depression economics. By 1949, I was a Democrat. I couldn't believe what I heard some of the Republican spokespeople in the forties saying at national conventions and the like.

About a year of law school sort of turned me around. Suddenly I realized there were property rights involved in the body politic, and that aspect of law school sort of struck me. I don't think that I was choosing a party at that point because Marin was Republican. [laughs] I really don't think that, but as it turned out, of course, Marin and Sonoma--I had both Marin and Sonoma counties in the legislature--from Sausalito to Stewart's Point, I used to say; it was an area that, other than Tom Keating in 1936, never elected a Democrat for fifty years.

So it was evident that the then assemblyman, Dick McCollister, who had been in since 1941--twenty years--was going to retire. Obviously, I joined the Republican groups. I had become general counsel of the Young Republicans statewide. John Rousselot was--and this becomes relevant, not just Bagley--John Rousselot was then state chairman. John Rousselot, of course,

Bagley: later became regional director of the John Birch Society. We were on Goodwin Knight's side fighting the forces of Bill Knowland [1958], fighting the right wing who were taking over the party. Rousselot, as chairman of the YR, was literally fighting right-wing units of the Young Republicans back in the mid-fifties, an interesting little aside.

Morris: Then the Young Republicans were quite an active organization.

Bagley: Yes. As you know, the Young Republicans and the Republican Assembly and then, spawned by the Goldwater movement, the so-called UROC, the United Republicans of California, all turned right-wing in the early and mid-sixties. Part of my political life, I guess twenty years of it, has been fighting the right-wing takeover of party organizations. I don't mean to overemphasize that. I don't run around fighting battles and tilting at windmills, but we had our share of battles with the burgeoning right-wing group which in California had its real--not genesis--but first day in the sun with the Knowland campaign. Bill Knowland threw Goodie Knight out of office basically, took the financial support away from him, and as everybody knows, Goodie then decided to run for Senator. And Bill Knowland ran for governor preparatory to Bill running for president. He lost by a million votes and so did Knight, by something less than a million. Knowland ran on a "right to work" platform.

We lost a majority in the legislature for the first time since, I guess, Culbert Olson's days, about ten seats, which meant the majority went from fifty [Republicans] to thirty [Democrats], back to thirty to fifty; a total turnaround. That meant, in turn, in 1959 the repeal of crossfiling--because Pat Brown was elected in '58 and [in one of his first actions as governor] signed a crossfiling repealer--and changed the whole political complexion of California in and of itself.

#### Young Turks of the 1960s

Bagley. So you can either blame or give credit to Bill Knowland for that episode. But that leads us into the sixties (you go back to '58 basically as a watershed to get into the sixties). In 1960 there were nine elected to the freshman class. I'm not sure I can name them all, but I'm going to try because they are sort of important names: Bob Monagan, Hugh Flournoy, Jack Veneman (in January 1961), Bill Bagley, later known--very early later, meaning a year or two later--known and still known as the Young Turks. Some people say the maturing Young Turks, the old Turks of now. Those were the Republicans.

Morris: Young Turks standing for--

Bagley: --Standing for a resurgent movement in the Republican caucus in Sacramento. When we arrived in 1960, Joe Shell was minority leader. He was a Knowland person.

Morris: He had governor thoughts himself.

Bagley: He ran against Nixon. That's the reason I mentioned his name. In '62, he ran against Dick Nixon for the Republican nomination and got 33 percent of the vote and probably in part caused the then demise of (quote, unquote) "Governor Nixon," because it was a strident primary. The right-wing accused Nixon of being a left winger--really. He was a member of the Council on Foreign Relations and things like that and the Trilateral Commission and, literally, people of that right-wing mold and mode would come up to me--I traveled with Nixon for three months as a freshman legislator--and would give me the heavy finger on the shoulder and say, "You're some kind of a Com symp because you are a friend of Nixon. He's a liberal!"

Now, it's unbelievable to sit here and say that to you today, but that was a fact and that was, in turn, the genesis of my becoming a very, very liberal Republican. I couldn't stand these right-wing, bug-eyed, blithering, bigoted Birchers! [laughter]

Morris: Was your feeling that if Shell hadn't been in the campaign, Nixon would have done better in the governor's race?

Bagley: Yes, it's always true. The same thing is true of Ronald Reagan running against Jerry Ford. The person who contests a primary against a pre-eminent candidate who then becomes a nominee always says, "Oh, it's good for the party"--Democrat and Republican--"good for the party, have a contest, get the blood flowing." Bullshit is not too harsh a word. All it does is stir up the troops so that there is animosity that lasts for years and you end up losing the general. Ronald Reagan caused Jimmy Carter is what I'm saying. It's obvious.

The same thing is true of the Shell-Nixon episode because then you had again the right wing. The same is true of the left wing on the Democratic side. The Haydens probably caused Hayakawa (and I hope they're happy about that) when they took on Tunney. The extreme will then sit on its hands and boycott the general election and will just cause the candidate fits trying to get that extreme element back into the party. And it never works.

Morris: That's an interesting thought. It sounds like you are suggesting that maybe the primary election should be run in a different way.

Bagley: No.

Morris: How can you have a primary without any candidates?

Bagley: You can't really. All I am saying is that--Oh, I have all kinds of pendulum theories of politics; that is, that the action is in the middle and when the pendulum swings, the arc about 80 percent of the time stays in the middle and these fringe groups are destructive. That's all I'm saying. It has always been the case and it always will be the case. They think with their glands; they suffer from "hardening of the categories" and--pulling all of the cliches that I used to use in those days.

On the other hand, it is very difficult to be an evangelical moderate because that itself is rather anomalous. But that's the problem of the parties. Your moderates are the sensible people and they go home for dinner, and those that aren't sensible, by definition, stay there and pass these outlandish resolutions and do all kinds of crazy things that destroy the fabric of the party.

On the other hand, it all comes back to the center sooner or later. Ronald Reagan moved from far right to what I guess you could call almost the center today.

Morris: In the course of his political career?

Bagley: Yes, and we'll get into that.

Morris: Why did you decide to run for office yourself, in addition to McCollister retiring?

Bagley: Oh, just because I am personally a participant. It was something I had been--I like people, I like the system, I like to make the system work, I like to be involved; all of those nice reasons, part of them personal, part of them pro bono.

Morris: I don't know that public interest law is the kind [done] in your law practice, but were you involved with--?

Bagley: No, not really, not really. It cost me a couple of million dollars, no question about it. My peers today are all people who own property and have major endeavors. I spent fourteen years in the legislature and then four in Washington--eighteen years in doing my thing. I am perfectly happy because my compensation is sitting here with you and knowing a hundred thousand people in the state of California which I otherwise wouldn't know. But when I run into somebody on the street (and I do this everyday), and they say, "Are you retired?" I want to hit them in the face! The implication is that I must have stolen during those years in office, which I did not, because how the hell am I going to be retired? I have five children, three in college and two in grammar school.

So there is a down side to spending your life in the arena. It is said much better, "Go out and make a million bucks and then run for office!" But we chose the former course and I am not badmouthing it. I am only sort of trying to give you some flavor of where we were coming from.

So we had our Young Turks, four of whom I mentioned. Gordon Cologne was a fifth. Gordon then went to the senate and he is now on the district court of appeal. Those were your five Republicans elected in 1960.

Morris: Was there an official Republican caucus at that time?

Bagley: Yes.

Morris: With a staff person?

Bagley: A very good question. There was an official Republican caucus but staff was hardly even heard of. Joe Shell, then minority leader, has one staff guy--period. No one else in the legislature, other than a committee chairman had staff and there was no Republican caucus staff--no provision for it. The Republican Associates of L.A., a "men's group," raised a few bucks and they sent in 1961--and this was new also, heretofore there had not even been this--two people to Sacramento. I think they paid them \$500 a month each and an apartment stipend. One of them was Ron Zeigler and the other was Sandy Quinn. Ron Zeigler and Sandy were the staff for the entire Republican caucus, but they weren't on the state payroll. [tape interruption]

I want to throw in some other names because Jack Knox, who is literally next door with me today, practicing what we call public law or government law (we don't go in and fight over the

Bagley: size of backyard fences or the size of the divorce stipend or the alimony problems; we practice public law), Jack was elected in 1960. Jim Mills was elected and then two or three others. There were five Republicans and four Democrats. Two of the Democrats who are now long gone and by that I mean deceased [Jack Casey and Jim Hicks].

#### Unruh Fills the Power Vacuum

Bagley: So we had a good class. Jesse Unruh, during that period, rose to power, which is most significant as we get into talking about the Reagan days in the next couple of minutes. Jesse rose to power because, number one, he was competent and smart; but also because of another old cliché of mine: politics and physics are similar; vacuums attract. Artie Samish had been dethroned and we won't burden the tape with the story of Artie Samish; but when Artie was up there as the kingpin lobbyist, he elected the speaker. He was the money funnel and he controlled the house; not so much the senate, but he controlled the house. When Artie left and went to prison there was a period of "good government." Cap Weinberger was part of the good government group.

Morris: He came in with a crew of young folks with new ideas right after--

Bagley: Yes, in the fifties. Cap then ran for attorney general and lost miserably. That's another story. Drew Pearson did him in with Jewish overtones. Cap's an Episcopalian, but by Jewish overtones I mean allusions to his last name. I mean it was a rotten campaign. Pat Hillings, Nixon's friend, won the primary and lost overwhelmingly in '58, but that's off the track.

Jesse Unruh, in the early sixties, became chairman of the Ways and Means Committee under then speaker Ralph Brown. Ralph was not a political animal-type person; Jesse was. Jesse began to raise money for other candidates and that was the first time-- I can't tell you what happened in the twenties and thirties and forties--but in recent history that was the first time that a member of the legislature became a money funnel and, in turn, handed it out, and no one else was doing it.

In those days, you could raise a couple of hundred grand and hand ten grand to twenty people and, particularly in the primaries where all of the elections are decided, out of eighty seats there are only ten or so that are really volatile or vulnerable in any given year, and Jesse put his people in office and Jesse became speaker.

Morris: Did you ever talk with him about it? Was it the Samish idea that took hold?

Bagley: I didn't have to talk to him about it; it just happened. Again, vacuums attract. Jesse was speaker then from '60. He called a special session of the legislature. He changed the rules. Oh, this is a fascinating story! Ralph Brown was from Modesto. He, Jesse, as chairman of the Ways and Means, was instrumental in--the legislature did it, but he created--the Fifth District Court of Appeal located in Fresno when people said that it really wasn't needed, in order to get Ralph Brown appointed to the bench. So there was a new fifth district court, a three-judge court of appeal. Ralph was going to be appointed. Everybody knew that.

Morris: To a judgeship?

Bagley: To a judgeship. Jesse, knowing that, passed a special rule of the assembly that the assembly, through some mechanism, could call itself back into--not into session, today the legislature can call itself into session, but it was not true then--but it could call a caucus of the whole, which Jesse then did in September or so, right after the bill went into effect, and Ralph was appointed to the bench in order to get himself elected speaker; Jesse knew he had the votes then and God knows what will happen between September and January. So he got himself elected speaker--

Morris: In September--

Bagley: In September by a caucus of the whole under a rule which he devised in order to do just that. Now, that is beautiful politics!

Morris: It is expert parliamentary procedure.

Bagley: Sure, that's what I meant by beautiful politics. Jesse was-- Power went to his head, there is no question about it and that again was the basis or our--and "our" again is Monagan, Veneman, Bagley, and Flournoy--really coming to the fore.

Morris: In response to what-- ?

Bagley: In response to Jesse's garrulousness, his arrogance if you will (and Jesse is a friend of mine; I don't mean to insult him. He is competent. I have already said all of those nice things, but power went to his head and he admits it)--he locked up the assembly



Bagley: in '66. We caused the lockup. We challenged him on an issue which would take too long to talk about and we didn't know we were going to get a lockup, but we purposely challenged him and he rose to the bait and locked everybody up. The chambers [have] had doors locked under a call of the house, meaning to vote on a measure, before, but overnight with army cots--no.

Morris: He brought in army cots for that famous--

Bagley: For the lockup and got himself a front-page picture on Life magazine and got himself a lot of bad publicity which, in turn, changed him. After that, he lost literally a hundred pounds, bought a whole new wardrobe and became a new, svelte Jesse Unruh and almost became a new man.

## II ADVENT OF RONALD REAGAN

### Republican Fortunes in the Assembly

Bagley: In '66--now we're going a year ahead--Ronald Reagan did win and I want to get into that. You don't "win" an election against an incumbent, the incumbent loses. Pat Brown lost by 986,000 votes.

The fact that happened also brought in--we were down to twenty-seven Republicans at one point and we had gotten ourselves back up to around thirty-two or three--in '66 we got up to thirty-eight Republican members. Jesse was still speaker, but when you have a 42-38 house, you've got a balance and, parenthetically, it's the best government there can be. You need a couple of extras. Forty-one/thirty-nine is tough because one guy can always leave you and you've got to have a little insurance against an outright double-cross. But a close house--43-37, 44-36--you get good government with all voices heard. For the first time we, epitomized by the Young Turk group, got a voice. You see, that's all we wanted. Jesse would not give us a voice.

Morris: So you were looking for ways to challenge his authority?

Bagley: Yes, because of the seeming arrogance and because we had no voice. First of all--a little history--the legislature wasn't even partisan until 1928 and then you had the crossfiling but no party ballot designation until '52. When the League of Women Voters started a movement to try to repeal crossfiling, the legislature compromised and put Republican and Democrat under their names. All of that led to a little more party responsibility, but there wasn't a party force as such in the Unruh speakership days up until '66.

Bagley: The premise to all of that is that all during those years you had chairmanships from both parties, but it was always a friendship kind of a coalition. I will define friendship in a moment. It wasn't a voice of the other party. It was whoever your buddies were in the other party. Buddies in a legislative body means somebody that is going to support you, sell out to you if you will.

So there were four or five Republican chairmen during the Jesse Unruh speakership up until '66, but they were sell-outs. They were people who had made their deals. One guy loved to travel, so he was given a chairmanship so he could travel around and have fun and he admitted it. On that basis, he would support Jesse whenever Jesse needed him, and you only need a person four or five times. You need him on a budget, you need him on organizational stuff, you need him whenever there is a big party fight going on. You need three or four on the other side to stop--for example--to stop any kind of a coalescence where one-third plus one will stop some two-third vote measure from going through.

So Jesse was an artist in that regard. He had four or five Republicans in his pocket, and we didn't like that either. So that is the genesis of a new resurgence of Republican effort and all of us moderate Republicans coming up with positive programs, coming up with ideas of our own, challenging the administration, leading up to, without our knowing it, the Ronald Reagan campaign.

Bob Monagan, by this time, in '66, was minority leader. In '63-'64, Charlie Conrad was minority leader, and I mean this next sentence literally: Jesse Unruh elected the minority leader. We ran against Charlie Conrad, but Jesse had half a dozen locked-in Republican votes and then there were half a dozen others that Jesse talked to and said that he didn't like these Young Turks who were raising all this hell and they shouldn't either. To make a long story short, they supported Charlie Conrad who was Jesse's candidate for minority leader.

Morris: That is a very interesting maneuver.

Bagley: That is accurate history. There were even editorials in the San Jose Mercury decrying this development. So this leads us up to Ronald Reagan.

The 1964 Rockefeller-Goldwater Presidential Primary

Morris: You were active then in his campaign?

Bagley: No, not necessarily. It leads us up to the advent of Ronald Reagan with one further bit of background and that's the '64 Rockefeller versus Goldwater fight. All of us--Bob Monagan purposely kept out of some of these intramural or internecine affairs because we decided early he was going to be speaker. He was our leader and we wanted to keep him sort of insulated.

Veneman, Bagley, and Flournoy were the spear carriers, and we traveled the state for Nelson Rockefeller for that whole primary period, going into [the legislative] session at 10:00 and leaving at five after ten, going down to the executive airport and getting in airplanes and flying all over the damn state for three months.

Morris: Developing delegates to the--?

Bagley: Oh, getting the press, visiting editors, every editorial board in the state--because Rockefeller couldn't do it, we were his people in California. We lost that '64 primary election by about 40,00 votes. It was 80,000 but we always divided in half--if 40,000 switched. The margin was 80,000. If 40,000 switched, you would have had 40,000 plus one and you would have had Rockefeller as the nominee. I "blame" that on Happy who had her baby on Saturday, three days before the June primary.

Putting all of that aside, the importance is that, as everybody knows, Ronald Reagan had his genesis in the Goldwater campaign. So by that time, the party people were beginning to be controlled by the Goldwater operation. We fought that off and kept it pretty well down to a dull roar. Not that we had anything against conservatives per se, but some of these people were absolutely nuts--and I mean that literally. Out of eighty assembly seats, there are twenty or so that no Republican can win. You can't win a seat in an 80, 90 percent Democratic district. No one in their right mind would run for the seat, and therefore the people that did, and who were then the Republican nominees, literally weren't in their right mind. I mean, they were almost fascists. They were bigots and I will give you a very specific example so that this is not just adjectives.

Bagley: There is no Republican platform in California for 1964. The platform of the parties is not passed by the party central committee but by the convention. The convention is made up of each nominee for both houses and for Congress. So you've got 160--some odd--80, 40, plus another 40, plus the constitutional officers' nominees, some of whom are elected incumbents and others are just new nominees--in June and then you have your party convention in August. August of '64, we were down, I think, to about 27 Republicans in the house (so therefore two-thirds were not incumbents) and there were 13 in the senate. The proportions were exact. In the senate, 27 were not incumbents. The same was true of Congress. So you had the nonincumbents taking over the party convention.

Out of committee and onto the floor at 6:30 at night comes the civil rights plank. The civil rights plank, which never passed for reasons I'm going to give you in a minute, was to send the--I don't know that they even called the people blacks or Negroes then--"send the blacks back to Africa." That was the civil rights plank of the California Republican convention proposed on the floor in 1964 because it was a direct quote from the 1878 national Republican platform. We had people that weren't in their right minds, who were sitting there in the convention trying to pass that kind of a platform.

Bill Mailliard, Don Mulford, myself, Alan Pattee, a few others, simply put a quorum call on. There wasn't a quorum and we adjourned the convention at 6:30 on a Saturday afternoon sometime in August--without any platform! That is my best example of how bad the right wing became in 1964.

##

#### Reagan's Election as Governor

Bagley: Without Spencer and Roberts, Reagan not only risked, but in my humble opinion would have succumbed almost without any fight, succumbed to the then right-wing forces which, in their worst form, were the people that I talked about earlier in state convention. But Stu Spencer and Bill Roberts, who had run the Rockefeller campaign, suddenly became the Reagan campaign management team which, incidentally, incensed those of us whom I was talking about earlier vis-a-vis the Rockefeller campaign. I mean, here's our people, our guys--

Morris: Spencer and Roberts?

Bogley: Yes. Again, they are beautiful friends today but we were incensed at the time. Somebody down south got awful smart in the early Reagan kitchen cabinet and hired them. They tried to insulate Ronald Reagan from the Birchers and the bigots. These (the far right) were the people who would cry: "Get the U.S. out of the UN and the UN out of the U.S.", "Impeach Earl Warren." I don't think Reagan went that far, but I know he campaigned against the progressive income tax (that becomes most relevant) and I know he campaigned to repeal the Rumford Act, to repeal open housing. Remind me, I want to tell you about 1967 and open housing in a minute

Nonetheless, he didn't win; Pat Brown lost. Pat had been in for two terms--that's the previous decade's history. But when you beat an incumbent, normally the incumbent loses; Pat was at the end of his trail and he lost. So Ronald Reagan came into office in '67.

Morris: In January of '67; did you have any role in the transition or helping Reagan--?

Bagley: We tried. Let me back up a step. I mentioned that we were all for George Christopher in the primary. Then in the general I became an honorary chairman at the top of the letterhead, because I was an officeholder, for the Reagan campaign. I appeared at a couple of press conferences with him. That was Bill Roberts and Stu Spencer trying to show that the moderates were supporting Reagan, and some of us were trying to show that we weren't as bad as the far right who would not participate when they lost. Remember our story about Joe Shell and Dick Nixon. So we didn't want to be in the same bag with them.

An interesting aside, as those who were there or who read know, Pat Brown and Don Bradley--and Don just passed away, Don was his political guide--thought that Reagan would be easy to beat, so they had to get rid of Christopher. The polls showed that Christopher was ahead of Brown whereas Reagan wasn't, in the early campaign period.

They enlisted Drew Pearson to do a smear job on George Christopher. George was convicted of putting too much cream in the milk in 1938 in Marin County, because there was price control and you could either lower the price or put more cream in the milk. So he violated the Milk Act, and there is a picture of George Christopher over in Marin law-enforcement files

Bagley: with a number under him. It was a misdemeanor, but they took his picture with a number under it. Drew Pearson ran this story. Fred Bagshaw, who was an uncle or cousin of Al Bagshaw and Al was the D.A. back in '38, Fred (I know this because I found out about it. I called Al) Fred, his uncle, was then director of Public Works--it's like Caltrans today--for Pat Brown. Fred got the old file from Al Bagshaw and sent it to Drew Pearson via Don Bradley. Pearson wrote a piece about this candidate who was a criminal.

The California papers wouldn't run it because they don't run--the major papers, the L.A. Times particularly--at times won't run stuff that is California politics that comes in from out of state. Number one, they figure it's their bailiwick, they ought to be able to write their own stuff; and, number two, I guess they were a little incensed at this article.

Drew Pearson flew out and had a press conference in L.A. and San Francisco holding up a blown-up picture of Christopher with a number under it. At that point George Christopher was thirty-six [percent] and Ronald Reagan was thirty-nine in the Field poll, let's say in April of 1966. From that point, Christopher went down ten points because of the diabolical Democratic attempt to get rid of Christopher. They were successful.

Morris: How important are dirty tricks in a campaign?

Bagley: Hmm? It depends on--

Morris: You said that Pat Brown lost rather than Reagan won. If Pat Brown's administration was not tired, would he have been successful against George Christopher?

Bagley: No, I don't think so at all. Brown's people wanted to eliminate Christopher because Christopher had the more moderate image and Christopher would have gotten even more [votes]. Christopher would have won by 1.3 million. Bob Finch, in that same election, won by 1.3 million against Glenn Anderson and Reagan's margin was 986,000. That, incidentally, caused a schism between Finch and Reagan. They never got along because they were jealous of Finch--they, the Reagan people--and Finch came from a different element of the party and they never got along, which is another story.

Transition into Office

Bagley: You asked if we participated in the Reagan transition--not really. Remember, we were the problem. We were in office and Ronald Reagan (much like Jimmy Carter who ran against Washington and then fell on his face because he couldn't make it work) ran against Sacramento. So even though some of us--if I may--some of us were a little bright and knew a little bit of what was going on in the world, we weren't trusted. We were the problem.

Morris: Even though you were of the same party?

Bagley: Yes, the party is totally incidental in that sense. Everybody in Sacramento was either an old hack or a nincompoop or a dirty liberal in the minds of the Reagan people: now, not Spencer and Roberts. Spencer and Roberts are mechanics; they are not ideologues. But Reagan got around him a bunch of young men, and I'm sure some women, but--

Morris: No, mostly men.

Bagley: --Young men who listened to the campaign speeches, were the advance people and the campaign types, listened to the speeches for a year and were totally convinced that, number one, we were the problem and, number two, all they had to do was march around Capitol Park on their white horses and solve the problems. The first two years of his administration were an abomination, an absolute abomination. Gordon Paul Smith, who was the first director of Finance, he was going to cut ten percent across the board, which is the worst kind of government. He had his figures all screwed up. I remember at one point Gordon--I'm going to tell you about a meeting here in a minute--Gordon Paul Smith, having his budget figures all screwed up, and I charged there was a Gipper Gap in Sacramento. That was the kind of thing--you see, this is early Reagan. No, we were trying to be helpful, but we were excluded. It was like back in the Unruh days. They weren't going to listen to any of us. It wasn't diabolical on our part. We were just frustrated.

I can recall specifically a meeting--probably the first meeting-- he called a Republican joint caucus, the senate and the assembly down in the governor's anteroom--

Morris: The Governor called the joint caucus?



Bagley: Yes, that's normal. They wanted to discuss the problems generally and, yes, there was a budget problem and I'll get into that. As we were talking along, Gordon--I don't mean to take it out on him, but this was emblematic of the kind of people he had around him--total political amateurs who, again, ran against the system. We were the problem, all of the adjectives that you want to use applicable to that kind of a situation.

I remember specifically Smith saying, "It's going to be a little tough, but when the going gets tough"--quoting Knute Rockne--"the tough get going." At which point I damn near threw up! Involuntary muscular contractions of the stomach took over and I said, "Governor, Knute Rockne doesn't have any votes upstairs." You see, the total lack of comprehension of the system; a lack of comprehension of the so-called separate branch of government, as if the legislature didn't exist. That was a time to work with the legislature--a Democratic majority--not ignore it and "get tough."

Sure, there were some bohunks and dolts and a few crooks up there, but, God bless it, you work with them and you make the system work by compromising. The beauty of this is that four years later that is exactly what he did, and we'll get into that. But the first two years were an abomination.

Morris: Because of the inexperience or the youth? You also mentioned that a lot of those--

Bagley: It's both plus the third factor, which is even more important, the ideologues. Again, these are people who think with their glands and they couldn't conceive of working on programs. They just wanted to get rid of all of the programs.

Morris: What about people like Cap [Caspar] Weinberger and Ric [A. Ruric] Todd who had been around Sacramento a long time?

Bagley: Good question. Ric did come up and do a little bit of the transition work. I'll give an example. This sounds silly, but it's the way things should work. Everybody knows Frank Fat's restaurant in Sacramento. Wing Fat, Frank's son, is the most beautiful person alive in Sacramento. Everybody loves him. He's an educated man. His family is well-known and respected. Through Jack McDowell, Ric Todd made sure that Ronald Reagan appointed Wing Fat to the Veteran's Board. He was the only establishment person appointed to anything. That must have slipped through because, see, he was establishment. I'm not

Bagley: talking about the legislature now. I'm just talking about someone who had an affinity and who we had expected, if he wanted something, he could become part of the administration.

Cap Weinberger was excluded. Holmes Tuttle in that original kitchen cabinet thought Cap was too liberal because Cap during '61-62 ran for state chairman against Joe Shell's person by the name of [Vernon] Christina from San Jose. Cap then was tainted as being too liberal, and that's how Gordon Paul Smith came in as the first director of Finance. Two years later or maybe a year and a half, Cap came in as director of Finance and you began to see a slow metamorphosis.

Ed Meese looms large here. Ed had been a lobbyist, as you know. He had been a deputy district attorney out of Alameda County, and ever since the Earl Warren days, Alameda County supplied the deputy D.A. who lobbies for the D.A.'s association and the Sheriff's Association.

Morris: That very ingenious.

Bagley: It's just a fact. So Ed had that chore and Ed knew his way around the legislature. Ed was not a happy-go-lucky, back-slapping lobbyist, but at least he knew his way around. With the first wave of people by attrition leaving, and then with some of them learning, and with the ascendancy of Ed Meese, the atmosphere changed. Ronald Reagan--let me say some nice things about him--doesn't have an evil bone in his body. He is not conspiratorial. I have never heard him say, "I am going to get that person," unlike Nixon, who was out to get everybody.

Morris: An "enemy," quote-unquote.

Bagley: Yes, and when I say Nixon, I mean that whole last part of his administration; the Haldeman-Ehrlichman-Mitchell-Colson gang were out to get people. Never did I see, and I don't see it today, Ronald Reagan having this "get" mentality. It's probably--other people have written on this subject--because he is stable. He isn't insecure. So you had that as a plus and then you began to see some of these people around him, Meese being my primary example, come to the fore and start saying, "Hell, we've got to make this system work. We can't just sit around and fight our little ideological fights."

Morris: Did you find Meese more interested in how the system worked than in an ideological position?

Bagley: Absolutely, and he is the same today. I haven't worked with him that much in the last few months, but he is the same today. He is not an ideologue. He is conservative. I make a big difference between a person of conservative principles, if you will, and an ideologue. An ideologue doesn't think.

Now, I don't want to exclude Phil Battaglia, who did try. We used to meet with Phil--and I want to talk about the Rumford Act in a moment. George Steffes was a good soldier all during this trying desperately to (quote, unquote) "go upstairs" and explain to those idiots--and, of course, we were the idiots upstairs. That was the context of government in '67--but you have--

Morris: Another idiot at the other end of the stairs?

Bagley: Yes, and that has nothing to do with ideology. It was the idiots in the governor's office and the idiots in the legislature and that included everybody. But George would go down and try to explain to the Governor that, "you've got to work with these people."

So ultimately, after a period of two or three years--Verne Orr is another good example, right along with Ed Meese. When Verne came in (Cap Weinberger's stint as director of Finance wasn't that long and wasn't really that productive in the context that I am talking about now, because he went to Washington. Nixon appointed him chairman of the Federal Trade Commission and then OMB [Office of Management and Budget] and then everything else)--but when Verne came in--

Morris: Verne came in from government or from--?

Bagley: Verne came in immediately--he had been director of Motor Vehicles, but prior to that and penultimately he was a car dealer and an officer of a savings and loan in Pasadena. So he came in from business.

Morris: And government process took for him.

Bagley: Yes. He was one of the first people who literally came upstairs. He would come up at 6:00 at night (and we are now into [Robert] Monagan's speakership and I have to cover that) he would literally come up the stairs and put his feet on my desk. I would pour him some lobbyist's booze and we'd have a half a

Bagley: dozen guys in the office, a couple of staff members. He'd look up at my picture of Ronald Reagan in a natural and shudder, but we'd get something done!\* We'd put the tax bill together that way, and we're going to get to taxes and welfare.

### Republican Speaker Monagan

Bagley: When Bob Monagan became speaker, another catalytic point, this was in January of '69. At that point, Nixon was elected. [John] Veneman left for Washington as Undersecretary of HEW with [Robert] Finch. Reinecke was appointed lieutenant governor and immediately, within the first day of his appointment, took a cheap shot at Veneman. I mean, these things were going on all of the time. Monagan becomes speaker. I took over Jack's committee. I had been chairman of Judiciary under Jesse Unruh in the last two years of his speakership when we had a 42-38 house when finally we were given a voice on the natural, not because anybody sold out. Veneman had been chairman of Rev. and Tax. He left and, without going through all of the chairs, I took over the Revenue and Taxation Committee.

Bob Monagan, early on in January, was elected speaker, went down and broached Governor Reagan in his den and said, "Look, fella, I'm the speaker, you're the governor. We're going to get along." That was just about the time when the Governor's people began to understand that they ought to get along. So that was another catalytic event. Ed Meese, Bob Monagan, and a little later, Verne Orr. [tape interruption]

The Governor also, as is typical of new administrations with a business bent, formed a whole bunch of task forces, dollar-a-year kind of persons who were going to come up and do all of these great things. I can't name one thing that they were instrumental in putting together.

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\* Bagley's assembly office included in its decorations a cartoon of the Governor with a haircut popular among blacks in the 1960s. The cartoon was still on his office wall in 1981. [see illustration next page]



RONAL ALIS X



Morris: Does this work well in business, the task force--?

Bagley: No, it's a facade, it's a facade! Oh, sure, if you can get a half a dozen consultants in the field and put them together, they can decide whether the Bank of America ought to expand into a new financial vista. That's fine. That's their field. But to get a guy from the telephone company and the banks and a few other places and put them in a room in Sacramento and say, "Here, do something," it doesn't work because they refuse to work within the system. They don't know the system, number one, and, number two, they refuse to work within the system. They are there to gut the system; at least that is the impression you get. They are not experts per se. But it's a great campaign speech: "I am going to bring business principles to government." I have nothing against that, but this little Mickey Mouse task force technique is not the way to do it.

#### Revising Fair Housing Legislation and Presidential Hopes

Morris: I'd like to tie this back into the aftermath of the Rumford Act. Was there a task force on the Rumford Act?

Bagley: I don't think so. We didn't even see these people, so there may have been. But they had such little impact that we never even knew what they were doing or why they were doing it, although they came out--and my memory doesn't serve me--they came out with a couple of reports that we sort of laughed at because it wouldn't work, but not on the Rumford Act.

Early, early on in 1967 John Schmitz puts in SB 1, and you have to get permission to get that first bill spot. SB 1 is normally put in by--you call the roll the first day and bills go in alphabetically, so whomever Senator A was deferred to John Schmitz. John put in SB 1, which was to repeal the open housing in California. It passed the senate--I'm shocked--something around thirty to three with five or six good (quote, unquote) "liberals" taking a hike. It might have been twenty-seven to six, but still it was overwhelming. Jesse Unruh assigned it to the Judiciary Committee of which I was chairman and, parenthetically, if there is one thing I am proud of, I stopped the repeal of open housing.

Bagley: Now, here comes Phil Battaglia and Ronald Reagan. This is now March-April of '67. Ronald Reagan is already running for president and the last thing in the world he wanted on his desk was a measure to repeal open housing even though that was part of his '66 campaign. We would have been the first state in the nation to repeal. So Phil Battaglia and I conspired.

Morris: You did?

Bagley: We came up and my staff--Bob Murphy, who is now an attorney with the Law Revision Commission down at Stanford--Bob Murphy did the staff work. We came up with a compromise which was supported by the ACLU [chuckles] and half a dozen other groups. It would have repealed open-housing for single-family residences--that might sound terrible, but that was one way to save at least multiple residences, rental units, in the open-housing arena. We finally put that bill out on the assembly so that--you see, it was an emotional issue. A lot of people wanted to vote to repeal something. So they got that out of their systems--they, the members on the floor--and they voted for this modified plan. The bill went to conference and the conference committee blew up in a puff of feathers and nothing happened. I was happy thinking interest groups in the state were happy and Ronald Reagan was ecstatic that he didn't have to sign, didn't have to face the issue of signing a repealer.

Morris: You say he was already running for president?

Bagley: Sure he was because, in '68, he was down in Florida running against Nixon. I went down to Florida--not as a delegate, because Ronald Reagan had the California delegation. I went down and joined the Nixon people in order to try to stop Ronald Reagan from taking over the national office at that point because, remember, in '67 and '68 he was still something of a neanderthal and Nixon then was sort of respected, if I may. So that gives you a little flavor of those first couple of years.



## III RESOLVING STATE FINANCIAL PROBLEMS WITH THE GOVERNOR'S MEN

Tax Revision, Withholding, and the 1970s Surplus

- Morris: From the point of view of somebody who had been working on the legislative process, it sounds like you felt the governor's office had a way to go.
- Bagley: That's the understatement of the afternoon! Except George Steffes and--what was Lindsey's first name?
- Morris: Jack.
- Bagley: Jack Lindsey. They tried. And former senator Vern Sturgeon working the senate. It was just that downstairs was something of a stone wall and I really couldn't name the people that formed the stones in that stone wall, but it was there.
- Morris: Was your sense that the staff had the final say in what Reagan was doing or that it was the kitchen cabinet who wasn't officially part of the--?
- Bagley: It was more kitchen cabinet. It was a combination--the kitchen cabinet, then Reagan's endemic thoughts coming from parroting the speech against government for five years. Hell, he was going to implement the speech and it wasn't implementable. I'll jump way ahead and give you the prime example. Yes, we had a budget deficit in '67. Hale Champion was director of Finance with Pat Brown in '65 and they were going to avoid new taxes. They did the same thing--and I don't know how we're going to do it again this year--that people are talking about now, about accelerating the collection of various taxes. We accelerated the collection of everything to bring more money in in one year, everything except the death tax, and we were kidding and saying that Pat ought to have a "pay now and go later" plan. Everything

Bagley: except inheritance taxes were accelerated. By that I mean that corporate franchise tax and sales taxes were all paid monthly rather than quarterly and three or four hundred million dollars came in in '65 which balanced the '65 budget but left the tax base such that you couldn't do it again. And, therefore, we were three or four hundred million dollars in the hole.

I wasn't involved in that. Jack Veneman, George Miller, Jesse Unruh were, and there was a tax bill that came out in '67 which added, among other things, the eight-percent bracket to the income tax. Income tax brackets thereto fore in California had been one through seven.

Now, let me jump way ahead. We proposed--and "we" includes the Governor--in '69 and '70 the identical elements of that proposal, AB 1000 and 1001 in both years, authored by myself as chairman of Revenue and Tax, which finally passed in '72 or so. We then added the nine-, ten-, and eleven-percent brackets, already having added the eight percent. We narrowed the brackets, made California the most progressive in the nation (and, of course, you remember Ronald Reagan was against progressive income tax in 1965). That, in turn, caused Prop 13 because it caused this tremendous surplus after inflation went above what was then three or four or five percent a year and went to ten, eleven, twelve, and thirteen percent a year.

Narrowing those brackets and adding the brackets meant that everybody ended up in the higher brackets. That caused, not Ronald Reagan's parsimony nor certainly not Jerry Brown's parsimony, but that bracket change caused the \$6 billion surplus which, in turn, caused Prop 13--just A B C without qualification.\* That's what caused the surplus. So we made California the most progressive income-tax state in the nation under Ronald Reagan.

Morris: Did you foresee the likelihood of--?

Bagley: Of inflation doing what it did?

Morris: Yes.

Bagley: Of course not. So it's my fault! Dave Doerr, who was our consultant (and he still is) on the Revenue and Tax Committee and myself; Bob Moretti; and a couple of others with the total cooperation--and I'll get to that next point--cooperation of Ronald Reagan, Verne Orr, and all the rest of us.

Also, we put withholding in first, in 1971.

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\* 1978 ballot measure (Jarvis-Gann initiative) that sharply limited property taxes.

Morris: That was something else that Reagan had campaigned against.

Bagley: Yes. Okay, withholding came in in '71 when we were ready to issue scrip. That state wasn't broke in a budget-balancing sense, but all of the revenue came in in April and by January there simply wasn't cash flow. Everybody knew it. And every year--'68, '69, '70 got worse and worse and worse. By December of '71 we were broke. We couldn't pay the light bill and we were going to have to issue scrip. Ronald Reagan finally realized that. He called a special session. I put AB 1X--"X" stands for extraordinary--AB 1X, extraordinary session, in, let's say, December 8, 9, or 10th. We were rushing against the clock because the state Franchise Tax Board said we can't possibly impose withholding, get it out to all of the employers and start January 1 without three or four weeks' lead time.

At that point, Bob Moretti was speaker and he and a few of the Democrats held the bill up. Parenthetically, I put AB 2X in which said that when the state issues scrip, that scrip shall have a reasonable facsimile of a picture of the Speaker of the Assembly printed thereon! [laughter] That was a lot of fun and there was a cartoon in the Sacramento Bee showing this large-nosed person--and I love Bob Moretti also--on the face of an I.O.U., one million dollars, State of California.

So we passed withholding, and that got us by another couple of years. At first, Ronald Reagan wanted to give back--when you impose withholding you get a windfall because you are collecting a year and some month's taxes all at once. In April of '72, you collect all of '71 and you collect part of a year ahead of time (January, February, March, April), so you collect sixteen months' of taxes all at once. It was a windfall of \$500 million. The original plan was give it all back. By that time Bob Moretti was speaker. I was no longer chairman of Revenue and Tax but I was the negotiating person for Governor Reagan. See how far we'd come? By this time, Monagan and I had become the catalysts with the Democratic majority and we were making the system work. It might not have worked, in retrospect, as well as we wanted, but at least we were working together and [with] Ronald Reagan, arm in arm, meeting with Moretti, meeting with Leo McCarthy, meeting with the Democratic counterparts on the senate side. We met during this period of '69-'70; this is prior to the withholding bill in '71 when we put this [income] tax package together, which I just talked about, which we were trying [again] to pass in '72.

Bagley: We met for a period of six weeks, one week solid with Reagan there; I was going to say eight to five--ten to four; you can't have a meeting all day long. Then we would meet with the staff at night trying to get the bill into print for the next day or the next week. It went on for six weeks. Now, that's good governmental process.

Morris: Can you go back up a minute and tell me where you think the breakthrough was between yourself and the Governor in terms of his being able to work with the legislature?

Bagley: I mentioned earlier the evolution of people like Ed Meese and Verne Orr. Then, the Monagan almost-confrontation, telling the Governor, "Look, fellow, we're going to work together," that being in January of 1969, the Governor himself finally getting to know some of us, finally determining--

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--finally beginning to realize that some of us were people worth dealing with and at the same time realizing that he had to deal. I don't mean deal in a bad sense of the word, just work things out together. So part of it was a realization on Reagan's part that some of us were decent human beings worthy of working with, and then the individuals that I mentioned brought this about and, thirdly, the realization of the absolute need. How are you going to pass a bill? How are you going to balance the budget? How are you going to run for president if you can't get bills passed out of the legislature? That's a very important factor all throughout--

Morris: Was that ever said?

Bagley: No, of course not! But it's, again, an endemic fact that in '68 he was running and, of course, again in '76, and he wanted a record.

#### Property Tax Relief and Windfall Revenues

Bagley: Now, property tax relief was the cry and one of the reasons we added the eight, nine, ten, and eleven percent brackets, increased (I believe 2 cents) the sales tax, and the corporate tax went up from five percent to nine, all of those things provided a billion and a half dollars which, in turn, provided almost a billion and a half of property-tax relief. That's the

Bagley: home owner's exemption that we lived under until Prop 13 came along. We also eliminated inventory tax and beefed-up school finance. There's your billion dollars plus, those three elements. But in order to do that, Reagan and the legislature passed the most progressive income tax structure in the nation.

Morris: You had the Watson Amendment in there--\*

Bagley: Yes, which we beat, we, again traveling the state, calling it bad government and putting out all of the analyses of what would happen. The same thing happened--Oh, I was going to finish withholding and I guess I really did, so withholding finally went in. Again, all during this '69-'70 period, he (the Governor) and they (the governor's office) learned to work with us. So when they needed withholding, it became natural. I literally was on my way to go pheasant hunting. I went to Sacramento with my shotgun and my hunting clothes. I got a call to come up and confer with them--"We need withholding."

Then I was able to call Moretti and the other people and say, "We are going to have a special session and we're going to do this." That's the way government ought to work. You ought to have people talking to each other, which occurred two and a half years forward--from '67.

Morris: Do you recall who it was that called and said, "We need to get together on this;" would that be somebody at Meese's level or would it be--?

Bagley: I don't recall, I don't recall. Verne Orr certainly could have been; it could have been Meese or Verne. It could have been George Steffes saying, "Hey"--if George was still in that position--"my guys need to talk to you." That was more of just a communication, but by that time it became normal for the governor's office to talk to the (quote, unquote) "legislature."

Morris: On an informal basis of, "This bill is about to come up" or "We need to get a bill ready"?

Bagley: Well, "We need to call a special session. Will it pass? What will we do?" Oh, I was beginning to say that--I know where I left off. There was half a billion dollars of one-time revenue and the Governor wanted to give it all back. That's where we had to negotiate again. Moretti and company wanted to spend it all. [tape interruption] --Then in a position of negotiating what happens to the windfall, and that's when the Governor finally decided that we'll have half of the windfall go back

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\* Proposition 9 on the 1968 ballot, an initiative to scale back property taxes, organized by Philip Watson, Los Angeles county assessor.

Bagley: as a tax credit at the bottom of your income-tax return and the other half will be spent for capital outlay, which is a very fine solution.

Verne Orr, in my office at 6:00, drinking lobbyist booze, is the person who put that together. I come back to that because it is the difference between '67 when nobody would talk to anybody and later, when Verne would come up at 6:00 and we'd sit around with my staff and other members would wander in--and we'd work out what we thought was salable to Moretti. Then we'd find Moretti and then Moretti would be involved and we'd go back and forth and put a little package together.

Verne had the guts then to go down to the Governor and say, "Gov, we're going to--"

Morris: This is what we can get passed?

Bagley: Yes, and we're going to spend this and we're not going to give it all back. A story that is unknown, untold, as a part of that, when we put the withholding package together. In round figures, we put thirty or forty million into earthquake-proofing the schools--this isn't the untold story, this was in the bill--and we put something around a hundred million for university and college construction and we put seventy or eighty million of that (that adds up to almost 250), seventy or eighty million into park-land buying which my staff--I didn't know this--when they wrote the bill named it the Bagley Conservation Fund. That's still not the story. After that package was put together, Verne says, "Bill, can we just put \$5 million aside for miscellaneous capital outlay?"

I said, "Sure, I don't give a damn. Tell me what it's for." [lowers voice] "The governor's mansion." The advent and passage of withholding paid for the governor's mansion! Some of his kitchen cabinet guys had bought the land but the state had to build the building. Some of that five mill went into building the governor's mansion and I won a plaque over the door! [laughs]

Morris: That got a lot of press, the whole business of the governor's mansion. Was that something that the legislature had--?

Bagley: Oh, we didn't worry about it. Ed Z'berg, who was from Sacramento, that was one of his interests. I don't even know what the local politics were. Some people wanted it downtown. It should have

Bagley: been downtown. It's too damn far out. But that's not something you worry about. If the governor wants to build a house, let him go build a house. It was really inconsequential as far as we were concerned. But that \$5 million was not identified as such in the withholding bill.

Budget Development, Interest Groups, Local Government

Morris: Where was the technical advice coming from on what the possibilities were and what the outcome of different approaches to--?

Bagley: Okay, in the--Oh, I should have let you finish. Are you talking about money? Are you talking about taxes?

Morris: I'm talking about what goes into one's money bill and the tax program.

Bagley: The Department of Finance staff who are very good. Incidentally most of whom are still there, [Clifford] Allenby is now one of the heads of the civil service staff; Roy Bell was some chief deputy director! They are, and I don't use the word disparagingly, they are malleable. They will shift from Pat Brown to Ronald Reagan and they will be the same staff and they are also honorable. They use the same numbers, but if the governor's office or the director of Finance says, "I want to spend a billion less," it's up to them, working with the departments, to come up with the cuts or come up with the components of a tax bill, and it's relatively easy to figure these components. In those days, a cent of sales tax brought in half a billion dollars. It's simple. I mean you know that x percentage of this will bring in this much money and x percentage more of this will bring in that much money, and it's a relatively simple kind of a projection.

Then the question is, ideologically and politically, sales tax is supposed to be regressive. In California it's not, because we have a very high threshold of exemptions. In some states, you are taxing food and haircuts and services. In California we don't. So there is the ideological fight as to incidence of taxation and here come your interest groups. The California retailers wanted desperately to get rid of inventory tax. So they were very helpful in putting this package together, not in the component parts, which is more or less simple arithmetic and a little political judgment with antennae extended,

- Bagley: but in the lobbying aspect. The school people, the school unions, were very important. They produced Dave Roberti, who is now president pro tem. Dave was a key vote and UTLA [United Teachers of Los Angeles] produced Dave Roberti for this ultimate tax bill that passed in '72 or so because they wanted more school money. So your interest groups come in sideways and produce a vote here and there that helps you to keep the package together or helps you tie the ribbon around the package.
- Morris: What did they want in return?
- Bagley: Money! The only way you get money is to pass the tax bill. It's not any sort of a crass quid pro quo. The money is sort of floating at that point. It's not like you've got a specific formula--"I want \$395 million and I'll get you a vote." It's, "my god, this is the only game in town, let's go out and get a few votes and help pass the bill." [tape interruption]
- Morris: I have a couple more question on the tax packages. Where were the county representatives in all of this? A couple of the things that I came across indicate that they were very difficult from the legislature's point of view.
- Bagley: I'm trying to remember, I'm trying to remember. The cities and counties have a problem in that they don't have clout. Whatever clout they could develop through local contacts is rather ethereal. The local people come and go. They change all of the time, so you don't have a sort of a feed-down kind of machine where, by god, you can push a button and the mayor of the town will call the assemblyman and say, "I want this." It just doesn't work that way.
- Morris: It doesn't work?
- Bagley: It's too ethereal; too many people, too many players too much change.
- Morris: Even through things like the [California] Supervisors' Association and the League of California Cities?
- Bagley: The same thing. Some of these local people are probably potential opponents rather than political allies.
- Morris: Do you mean they are going to run for your seat?
- Bagley: Yes, yes. It didn't bother me, but--I'm trying to analyze the whole situation. So the cities and counties really have a problem. They have no clout. They've got a great line--home rule. Howard



Bagley: Jarvis, incidentally, destroyed home rule in California. Sure! There's no more local tax base, so all of the conservatives who supported Prop 13 are out of their minds because all they did was concentrate the power in Sacramento. It's that simple, and they destroyed the local option, local governance, local ability to raise money and make decisions.

## IV OTHER PRESSING ISSUES

Welfare Reform Negotiations, 1971

Morris: In some of his early tax messages, wasn't Reagan suggesting that some revenues from the state go back to the cities and counties and that they take over some of the health and welfare programs?

Bagley: I am having a dim recollection of that. Actually, the reverse happened because the cities and counties, particularly counties, wanted desperately out of the welfare business. It ends up that that was part of property tax relief to unburden the property taxpayer by the state paying for more of the county's welfare functions, and that is also true of the welfare bill which we are going to talk about real soon. Shall I start now?

Morris: Yes, that's my next question.

Bagley: Okay, 1971 to '74, Bobby Moretti is speaker and I became chairman of Welfare [Assembly Social Welfare Committee].

Morris: How did that happen? You are a Republican and Moretti is a--

Bagley: Again, for forty or so years in California we have had minority-party chairmanships. When we had the speakership for two years during this period, Jack Knox continued as chairman of Local Government and we had a half a dozen or more Democrats as committee chairmen. Remember, during the early Unruh days, Jesse would sort of buy the votes of those minority party chairmen. It was not true in the later Unruh days.

When Moretti became speaker, he had been working with some of us, myself, for example, on all of these tax measures. It was natural. Bob called me into his office and said, "Bill, I'm going to give six or seven Republican chairmanships"--whatever the number was. He said, "You can have your choice. Take

Bagley: whatever one you want of those that are left over"--never giving a clout committee to the minority party. I said, "I want welfare." He said, "You're out of your mind. It's a dog committee."

Morris: John Burton was also on that committee and had been for a long time.

Bagley: John was on the committee. Phil, of course, was chairman way back in '62. John was, I guess, still on the committee. I was outnumbered--a minority chairmanship with, my god, there was Bill Greene and maybe Johnny Burton and three or four liberal Democrats. The committee itself was of no use at all.

Morris: Why did you want the chairmanship?

Bagley: Because welfare was going to be the next big issue in the state and if I had this catalytic role in taxes, why not in welfare? So the exact same thing happened. I'm exaggerating by the use of the word "exact." We had meetings for six weeks. We put the plan together, and with Governor Reagan participating during the day and the staff during the night. I can remember buying thirty dinners for the staff; I did it because they didn't have any money--government money--to buy dinners. We'd bring in sandwiches and beer and work until midnight putting the welfare package together.

Morris: Reagan would stay until midnight?

Bagley: No, he came in a couple of times at night during the tax package, the first time that we floated it in the late sixties. It passed the assembly with Moretti's total cooperation and we got up to twenty-six votes in the senate and needed twenty-seven. Tom Carrell had a heart attack, Senator Tom Carrell. Reagan came in all evening from after dinner at 7:00 until midnight, talking to Mrs. Tom Carrell, talking to Tom's doctor as to whether to fly him up in an ambulance plane and decided not to. We had a rump press conference at midnight and admitted defeat. We couldn't get the twenty-seventh vote. We flew Milton Marks back from the Far East. He was over there on a trip. We got him a helicopter and somehow got him off of a ship and onto an airplane.

We committed some felonies, too. I can specifically remember Al Song saying he wanted his--now, this is really being blunt now, I'll do it--wanted his law partner appointed to the bench.

Bagley: I reported that as a fact and the word came back that, "we'll consider him." So I reported that, "you're going to get favorable consideration," and Al Song voted for the bill.

I honestly don't know to this day whether his law partner was appointed to the bench, but that's a felony. I mean if you give a guy ten cents for a vote, that's a felony; if you give him anything, it's a felony. There are felonies committed every day in Sacramento--"If you're nice to me over here, I'll give you a vote." That's consideration. It's a felony. So we committed a few felonies in the course of human events. They are not thought of as such, but technically somebody is asking to get some consideration for a vote. And that's in the constitution: consideration for a vote is a felony.

So Ronald Reagan was a peripheral participant in the prospect of committing a few felonies during the course of that era as was, I'm sure, and will continue to be, every other governor.

Morris: That's sort of an insoluble matter of legislative ethics, is that right?

Bagley: You're right, and I'm using the word felony in sort of a facetious sense, but it is still technically true.

#### Continuing Concern for Costs and Caseloads; Staff Input

Morris: Was the concern for welfare primarily on the Governor's part or the legislature's part?

Bagley: Both. The graph of dollar expenditures was going through the roof and the pattern continued. Literally picture a graph with the arrow going almost straight up and going off the chart. Legislative staff members knew this. The staff knows things like that; legislators don't sit around and do arithmetic. But the concerned staff knew what was happening. Obviously, the Department of Finance knew what was happening. It's a budget problem.

Morris: Is this because of programs passed in Sacramento or because of the cost associated with federal programs?

Bagley: Both, plus--I don't really remember the economy that well--but there was a recessionary period in '71-72. Governor Reagan came up with an initiative which had its genesis, I believe, in Bob Carlson's shop. Bob was then director of Welfare. It was so outlandish that it would have pitted the taxpayer versus the poor on the ballot. The taxpayer would have won. I mean it would have passed and, to exaggerate a little bit, some of us were running around saying, "My god, this is fodder for class warfare, to pit the taxpayer against the poor on a ballot initiative."

That was the motivation of some of us, myself included, and of the Bob Morettis and the Leo McCarthys on the Democratic side to pass some kind of a welfare reform bill. So, again, we met for weeks back and forth on principles and concepts first, and then on drafting. I mean we got down to negotiating as to whether a person gets to keep a refrigerator if he or she becomes a recipient. To qualify you can have certain assets, but you can't have other assets. You've got to give up your boat, but you can have a refrigerator. You can have an old junker car, but you can't have a car worth more than x dollars. We literally negotiated each one of these points and finally put a bill together which passed by our amending a senate bill on the assembly side--Tony Beilenson's bill had passed the senate which Reagan didn't like at all. It was a very liberal bill. We put, I don't know, out of forty concepts maybe we put thirty into the Beilenson bill. [Out of] forty of Reagan's concepts, maybe we put thirty, some of them minor, on the assembly side into the Beilenson bill and, big deal, added my name as co-author. It became the Beilenson-Bagley bill, sent it back to the senate, and it was approved. A lot of negotiation. Family planning: Tony insisted, it was a federal program, if we put in \$3 million of state money, you'd get \$27 million of federal money for family planning, a 90-10 match. Well, that goes against the conservative's grain. First of all, you can't have abortions and, secondly, you can't have family planning because people ought to just be able to say no. That was Ronald Reagan's mentality then and seemingly is now, but we put family planning into the welfare bill.

Morris: You had already passed an abortion bill which the Governor had signed.

Bagley: I want to get into that. Tony Beilenson in 1967 passed the most liberal abortion bill of any of the states and that is obviously prior to the Supreme Court case in the seventies which said that a lady, a female, has the right to an abortion. Ronald Reagan

Bagley: claimed that he saved \$2 billion by passage of this welfare bill. That was even in his 1980 presidential material. Martin Anderson from Stanford was running around writing campaign pieces for Reagan saying that they saved \$2 billion. Alan Post, in 1975--and this is in the legislative analyst's records--in January of '75, testified before a joint meeting of the Ways and Means and Senate Finance and all along he was saying, "We will save forty, fifty, sixty, seventy, eighty million a year" on so-called welfare reform. Alan Post testified again that it probably saved fifty to a hundred million dollars, but he also testified those numbers are very, very hard to come by because you can claim almost anything was either a savings or would have happened at any rate, in which event it wasn't a savings. But he also testified--and here's the key--during this period from '67 to '74, AFDC, which is the only area that you really had an impact on--the aged, the blind, and disabled didn't change that much--the AFDC rolls went down about 250,000 from, let's say, 2.1 million to 1.85 million. But the incidence of mothers remained the same. Eligibility is not through kids. It's the mother's assets and income, so welfare reform is supposed to change the criteria for qualifying and, therefore, you get people off the rolls.

The criteria for qualifying changed a lot, but the number of mothers remained proportionately constant. The number of kids went down; I will give you the numbers almost verbatim; they are part of annual state department of health reports. In 1975, there was a table that was part of the state department of health's annual report which says--I'll give you the full figure first. There were 750,000 abortions, not including those done in doctor's offices [where] there is no record, between 1967 and '75, 250,000 of which were paid for by Medi-Cal--and that's the exact number of decrease of kids on AFDC, 250,000. That is welfare reform. Again, AFDC mothers on the rolls was almost constant.

There were 500 legal abortions in 1967 prior to the Beilenson bill. In 1968, there were 5,000, and it went to 15,000, it went to 35,000, it went to 75,000, and it got up to around 130,000 or 140,000 or 150,000 a year in 1973, '74, '75. One-third of all of those--and the total was 750,000--one-third of those were paid for by Medi-Cal, which would have been, by definition, medically indigent people whose children would have been on welfare, and that's where the \$2 billion savings came from. Ronald Reagan knows that and he signed an abortion bill. At the time he signed it, he said, "I'm going

Bagley: to monitor this bill to see that there are no abuses." I don't want to get too facetious but some of his people must have been happier than a clam that the bill existed because that is the real cause and effect of welfare reform.

### Meshing Governor's Office and Legislative Processes

Bagley: That's off the subject, but the real subject is they were working with us constantly from about '69 forward and working well and passing decent bills. We needed that welfare-reform bill because, remember, we were going to have a class warfare ballot initiative if we didn't. We needed to work together. We needed to show that the governor's office and the legislature could work together, mesh the wheels, and make the system work--and it was fun. It was productive and it was good government all at once, and it saved a few bucks to boot. You can't have it any better, and those were the good periods of California government during this period of time. Also there was more trust in government--before Watergate.

Morris: It sounds like you and the people you worked with in the legislature felt you had done a good job educating the governor's staff--

Bagley: Absolutely, and the Governor himself when he went to Washington in 1980, he didn't pull a Jimmy Carter. He embraced the Congress, went out to visit Bob Dole in Bethesda who had a kidney stone and brought him a book, he visited the capitol, had meetings on their ground. Hell, he wouldn't have visited any of us in Sacramento in '67. He wished we were dead. [tape interruption, phone]

##[Brief passage on Revenue and Taxation Committee lost when tape turned over]

Bagley: --George Deukmejian and Bob Lagomarsino. I should have mentioned them because on the senate side they were the key Republican negotiators in all of these tax matters. Later, Walt Stiern and Al Rodda were the Democrats.

Morris: Also Mr. Gonsalves.

Bagley: Okay, Joe became chairman of Rev and Tax after Bob Moretti became speaker. Again, we had the same staff. Dave Doerr continued on as consultant. I had had earlier Dave Collins

Bagley: and Art Azevedo. I am talking in the first person here. What I mean is that it is so important for the committee chairman not to have just the flake, political staff that sometimes people--

Morris: The people who came in because they had worked on campaigns?

Bagley: Yes, associate with Sacramento staff. But real professionals. The people I just mentioned are beautiful. Joe came in with the package already there and he kept the same professional staff.

Morris: In other words, the staff keeps working from session to session in developing what makes sense to them from a professional point of view?

Bagley: Yes. Not always. In this instance, this fellow Dave Doerr has been there since Nick Petris. Nick Petris was chairman of Rev and Tax and Jack Veneman and myself and then Joe Gonsalves and now Waddie Deddeh. Doerr has been there through five chairmen. Also Willie Brown, six chairmen.

Morris: When you say professional, had he worked professionally in tax structures?

Bagley: No; he certainly became a professional. He's got a master's out of San Jose State in some field of government administration, et cetera. You've got to start somewhere, so, obviously, six chairmen ago, he was a relatively young guy. But it is good to have this continuity of staff. I think there is a lot of turnover now, but during this period that I mentioned there wasn't.

I don't mean to demean Joe's efforts but, as I say, the package was put together in '69 and '70 and we lost by one vote and came back and there was [Ralph] Dill's school finance bill that was--I guess it was '72, I can't really remember--that came out of the senate. Moretti, myself, Gonsalves, and Doerr and the rest of us put the same package with a few modifications that we had already negotiated with the Governor into the school-finance bill and, therefore, you had (quote, unquote) "tax reform," which didn't last too long. [laughs]

Morris: It almost seems that tax reform is a continual process.



Bagley: Yes. What you do in these big bills is you have some rump or ad hoc group of (quote, unquote) "legislative leaders." You don't go through the committee process as such. Well, you have to go through committee, but, remember, Moretti, McCarthy, and others, myself, sitting down with Reagan, Meese, Orr, and others and some senators, Walt Stiern, Al Rodda, Deukmejian and/or Lagomarsino would put it together and then submit it to the committee. By that time, with the speaker in control of the committee--that would have been Joe Gonsalves's committee--the bill just passes out. Everybody is happier than a clam. As long as they don't feel that they've been pre-empted, as long as their sensibilities are soothed.

You always had a couple of guys [who said], "Are we going to swallow this whole. We haven't had enough hearings. Who put this together?" So there is always the jealousy aspect. But if you are going to get a package--the same thing is true, without equivocation, of the welfare package. Any major legislative package has to come through the side door having been packaged in another room. A consensus is needed.

Morris: So that in coming through the process then, there are various moderate revisions or various minor revisions depending on the particular--?

Bagley: Yes, sure, and you also put your constituency together. You have your California retailers and you've got your school people and you've got your city and county people and you've got everybody together.

Reagan came out with a tax package in '67; Gordon Paul Smith thought it up. I can't remember what was in it, but I know out of the whole gamut of interest groups--the cities, counties, schools, retailers, manufacturers, all of your business groups of one sort or another--if there were thirty or forty such groups, and there are, there was only one small group who came out for the package. That's Reagan circa '67. No homework. No involvement of anybody either in the legislature or in the outside real world; coming up with a dumb package that everybody is opposed to except the Merchants and Manufacturers Association which nobody had ever heard of. Distinguish, that is not the California Manufacturers Association.

In major legislations, you have to work with groups. It's not obviating the system. There is still the committee system. It's not private, secret meetings because you're not meeting as a committee. You're meeting as this ad hoc group that has collectively a whole bunch of antennae and are feeling their way through and you put the package together.

Morris: You could almost call it a task force.

Bagley: Yes, except in an entirely different sense, an entirely different sense--not a bunch of amateurs but instead elected members, staff, and administration.

Reapportionment; Judicial Appointments; Law Enforcement

Morris: There was one point in one of the tax bills that Reagan said that passage of it was being held up because the legislature wanted his support of their reapportionment package. Is that the kind of trade-off that happens?

Bagley: I don't remember.

Morris: That would probably have been--

Bagley: In '71 or '73. I don't remember reapportionment being involved with the tax or welfare bills. Yes, that of course was the kind of thing that has happened, does happen, can happen, and will happen. I don't remember reapportionment being a big factor. Maybe I'm just missing a whole chapter in my memory. Of course, reapportionment is the shroud over all of government. It is the worst form of politics--cut off another guy's head to save your seat. But I don't remember--I just have no recollection. I'm not saying no.

Morris: But it wasn't something that you got involved in particularly?

Bagley: No, if I was in the middle of the tax thing, I would have been involved, although I personally didn't play the reapportionment game. I probably just emotionally didn't even want to get involved in the damn thing. Maybe that's why I don't remember.

Morris: That is the one that finally went to the courts.

Bagley: John Harmer was playing that game, Reinecke, and others advocating the Governor veto the thing, which did make both parties angry because there had been an accommodation which was reached. By that I mean some of the Republicans were happy with their seats and when the Governor vetoed the bill, that made them unhappy. By that time, you see, we were getting along well enough that it wasn't this inherent antagonism any more, as was extant in '67 and '68.

Bagley: [Refers to interview outline] If you want to talk about Judiciary [Committee], there is not a lot to say there.

Morris: What is interesting about it, I guess, from the point of view of the governor's office, is that one of their campaign concerns was judicial appointments. There was a governor's bill that was introduced regularly--

Bagley: Okay, that's a good story. That was in the early stages. They were going to reform the judicial appointments system. I was chairman of Judish. Paul Haerle, who is now one of my closest friends, was the Governor's point man on that subject. He was also the appointments secretary. That doesn't mean, "come in and see the governor," it means appointing people. Paul really was one of the ideologues in those days, and he would admit it. Since none of us were getting along anyway, the thing to do with any bill that the Governor had in my committee was kill the damn thing and show these guys that they ought to pay some attention to us so that we can govern the state. That, recall, was the atmosphere in 1967. We killed it and it made a few people mad.

Harvey Johnson was a Democrat. He wanted to vote for it, so we had it worked out so we allowed Harvey to vote for it. He had some constituents that he cared about, and maybe that's why I had to vote no out loud because Harvey had to vote aye. We knew we were going to kill the damn thing. It was just a matter of accommodating the players, and I think we had to accommodate Harvey by allowing him to vote yes, which he wanted to do for his own political reasons having nothing to do with the merits of the bill. So I ended up voting no which made Haerle furious at me. Otherwise, Johnson the Democrat would have cast the deciding "no" vote.

Morris: What was the Judiciary Committee's feeling on the whole idea of merit selection of judges? I gather that was an idea that had been around for some time.

Bagley: It's an idea that has been around for a long time. I have to confess to being a little cavalier. We didn't really care what the merits were. We were just going through our initial reaction to these people downstairs and we were killing their bills. It had nothing to do with Democrat or Republican. We were just killing their bills to show them we were around. It was the two-by-four stage of government, getting their attention. I could conjure all kinds of thoughts on judicial reform, but they wouldn't add to anybody's body of knowledge. It's not something that we lived with.

Morris: There was a lot of activity and another task force on law enforcement.

Bagley: Yes, I was never--there were a lot of issues, ballparks, I didn't play in--Criminal Justice Committee purposely, and education. I got into education finance, but I was never on the Education Committee. That is abominable. The whole Education Code is a laugh and a mess at the same time. You can't do anything in a school unless the code says you can. It ought to be the reverse. The Criminal Justice Committee is really a sack of snakes in an issues sense. You get involved in major social conflicts constantly; as you know it was the killer committee. It used to kill all of the so-called law enforcement bills. I just never got involved with it. I knew it existed and I knew what the issues were. I never got involved with it.

Morris: Who did put their heart and soul into Criminal Justice?

Bagley: Going ahead a little bit, when I took the welfare committee from Moretti, he wanted me to take Criminal Justice. Bob Beverly took that, but Bob's a moderate. He wasn't going to go out and crucify the world without a trial. Oh, I can remember the cries for law and order. I used to say, happily those are two words, law and order.

Morris: Yes, it's not all one word.

Bagley: Yes, it's not law-'n-order, it's law and order, and that gives you a flavor of what we were trying to say back to some of the governor's people. George Deukmejian, of course, George was in the assembly until '66 and then was a freshman senator from '67 to '70. George certainly put his heart and soul into that whole field, but this is later. There was not a heavy Republican move in the '60s.

Morris: It wasn't yet from a legislative point of view?

Bagley: That's probably true. That is true.

Morris: What about California Rural Legal Assistance?

Bagley: Oh, that was an interesting little fight.

Morris: How did you end up in that position?

Bagley: Somebody nominated me and put me on the board of CRLA. I didn't really get active in the organization, although--and maybe this was effect and cause. Maybe this was the reverse. Ronald Reagan wanted to get rid of legal assistance as it was then and was fighting the Nixon administration. [Frank] Carlucci, who is now Deputy Secretary of Defense, was then Nixon's OEO--if not OEO, it was very close to that--administrator, which had under its aegis plans to further fund poverty law firms, CRLA, and that whole field. Lewis Uhler was Ronald Reagan's counterpart. He was a member of the John Birch Society. He was one of the few Birchers that Reagan let in the administration. He was going to kill the CRLA.

I remember writing a two-page letter to Carlucci, obviously opposed to that kind of action and saying of Lewis Uhler it was like putting an arsonist in charge of the fire department. I mean you had to say something in order to get their attention. It was a peripheral thing, a one-day thing on my part. I wrote a letter to Carlucci. Somebody obviously prompted it. I mean you just don't sit there and write letters without some context. The context is that people, your contacts, contact you.

Morris: There was a major flap that went on--

Bagley: I take that back. There are a lot of times when you sit and do things on your own. Obviously, you're working on all kinds of endeavors, but it's not a job; it's a public service. Unfortunately, today it's become a job and that's a whole other subject. It has gone down hill, the mores, the whole day-to-day attitude and atmosphere have gone down hill, in large part because you have got a full-time legislature where this becomes an actual job, a way of earning a living.

Back to Judiciary. You asked. The Judiciary Committee was a good lawyer's committee. It kept you up on the law. But Judiciary, unlike the Criminal Justice Committee, was the civil part of the law. I mean we did other things. We reformed divorce. The so-called dissolution--the nonadversary-divorce proceeding started with the Assembly Judiciary in 1967. There were a lot of good things that were done on a sort of day-to-day law reform or week-to-week law reform basis, changing a lot of the codes that had to do with just general administration of civil justice. But it wasn't a place where the body politic got its goose pimples.

School Desegregation Guidelines

Morris: There was a school district guideline for desegregation that you--

Bagley: Aha, aha! And Ronald Reagan signed it!

Morris: That was in 1971.

Bagley: Yes, now that had nothing to do with Judiciary. That was another one on my own volition, another one of my ideas of solving some problems. There had been administrative guidelines in the Department of Education, and the Reagan-appointed state Board of Education repealed the administrative guidelines. I took those guidelines, changed them a little bit and rammed them out of the legislature so they became law. Those administrative guidelines had several purposes. One was just to give guidelines to school districts as to what they should be doing. Number two, and this is why Ronald Reagan signed it, if you have an administrative process that you go through, you have to, by 500-year old common law, exhaust your administrative remedies before you go to court. By going through administrative guidelines and the administrative process, you would stop people from suing to force a school district--

Morris: One way or the other.

Bagley: One way or the other, and from Governor Reagan's standpoint and Meese's standpoint, this was one way to forestall the courts from taking over. So they signed the bill. Floyd Wakefield called it the Bagley Bussing Bill and, by god, he got three hundred and some odd thousand signatures and referended that statute.\* It was overwhelmingly repealed--overwhelmingly.

Morris: Your guidelines were upheld?

Bagley: No, no, no, no. The bill signatures cause a referendum, the referendum goes on the ballot, and the referendum repeals. An initiative passes a new statute, a referendum repeals an existing statute. The referendum was overwhelmingly passed, two or three to one, because this was portrayed as a bussing bill. It wasn't supposed to be the exact opposite. It was supposed to be exactly what I said, an administrative process, some guidelines as to when you do what and how you do it, and it was a process, meaning administrative procedure, hearings, some kinds of--a process where you apply certain standards, and all of that would have stopped lawsuits at least for a while. But that was repealed. It was my attempt to solve the--

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\* Proposition 21 on the November 1972 ballot, later appealed to the California Supreme Court.

Morris: To tidy things up and get them moving?

Bagley: To solve that social issue and also to try to show the general public that some of us in the Republican party cared about that kind of social progress. That's another element during all of this period of the Young Turks. We were trying to be progressive Republicans and in the end result, basically lost every battle. I mean we would win some of these central committee fights, but the end result is that you don't see a grassroots uprising of evangelical moderates in today's political society. So over that period of twenty years, we lost the battle to maintain a strong moderate force in the organized Republican party.

## V 1974 CAMPAIGN FOR STATE CONTROLLER

Time for a Change; Other Republican Candidates

Morris: Was this thinking part of your reason for deciding to run for state controller in '74?

Bagley: If you want me to be blunt, you run for state controller so you can run for governor or U.S. senator. That's the reason you run for controller. The other reason is that you want to get out of the legislature.

Morris: Were you feeling this?

Bagley: Oh, you have to get out of the legislature. You either move up or you get out or you become a hamburger. I mean there is no other alternative. Hell, the bill numbers change but the issues don't, and when you have voted no or yes ten times in a row, how do you get goose pimples about voting no or yes the eleventh time?

Morris: Do you feel it's important to get goose bumps about--?

Bagley: Yes, because otherwise you become identified; you are in somebody's pocket just by happenstance. Hell, you're on the no side, so you continue to be on the no side and you're that guy's patsy on that issue, that guy meaning that interest group. After you're there for a while, you risk becoming callous in the sense that--and remember I started with this an hour ago--you see other people out in the real world making a good living--fifty, a hundred grand--and buying property and making a few million, and you're sitting up there with a little law practice on the side or you're selling insurance or you are farming your ten acres or your wife is running your grocery store. You begin to figure it's my turn. I'm either going to get out of here or I'll start stealing to get even. Now, I never got quite to that latter point.



Morris: [laughs] Good, I'm glad about that!

Bagley: But the thought is sure there, because nobody "appreciates" you anyway so, what the hell, let's make a little side deal and maybe cut a little melon here and there. That's the mental attitude that someone gets if they are there too long and not being paid a professional salary. A professional salary today is, what, fifty or sixty or seventy or eighty or ninety thousand dollars a year; that's a professional salary. So you have to get out and, as long as you're going to get out, let's run for controller and then run for governor. That's an entirely different ball of wax. It's got nothing to do with voting on little bills. You've shifted gears. You've changed your whole approach. You can then continue in another arena.

Morris: Had you stayed in close touch with Hugh Flournoy? He left the legislature and went to the controller's office.

Bagley: Oh, sure, that's another story. Hugh Flournoy filed for office on the last day of the close of filing in 1966 because Jack Veneman and I got up at seven in the morning and went down to the county clerk's office in Sacramento and put up five hundred bucks to take out his papers.

Morris: To get him to--?

Bagley: No, we filed him for controller in 1966 against Alan Cranston. He then had to sign the form, accepting the proffered nomination. There was no one really of any consequence running for controller in '66 as a Republican. I thought very seriously of running. We had done a whole number on the inheritance-tax appraisal system, trying to reform that system, which was really the last vestige of a political spoils system in California and would have saved money by putting it under civil service because about eighty-five percent of these estates that are appraised, you don't have to have any appraisal. It's your house, your car, your stocks and cash. So there is no real appraisal process and there is no reason to pay anybody. So we tried to reform the system. Cranston, of course, opposed it.

Unruh, in those days, was fighting Cranston within the Democratic party. So we were a little bit diabolical. We figured, here's two guys that are fighting each other. We'll get on one side or the other and make them fight. So we had Alan and Jesse Unruh at each others' throats over this bill. Jesse saw that the inheritance-tax appraisal reform bill passed the assembly because he wanted to get the political patronage away from Alan Cranston who was then vying for high position in the Democratic party. But the bill didn't pass. It was killed in the senate. So that led to '66 and my thinking of running for controller.

Morris: On that same issue?

Bagley: On that same issue. KNXT was editorializing once a week and they had literally forty or fifty editorials in the course of two or three years. We put the bill in in '63 and then it passed the assembly in '65. But, remember, Goldwater lost to Johnson by 1.9 million in '64 and Ronald Reagan was warmed-over Goldwater and who in their right mind would want to run for office in '66. You see how wrong we were.

Hugh Flournoy was quitting anyway because he was a college professor making a grand total of \$6,000 a year and another \$6,000 from the state and that's only twelve grand and he couldn't live [on that]. So he was quitting. We talked him, over a period of a couple of months, into running. He hadn't made up his mind yet, so Jack Veneman went down and filed him! [laughs] And we bought him three airplane tickets and hired him a PR lady to call a press conference on Friday in L.A. and by noon he finally signed the okay and got on the plane. We already had the press conference called.

Morris: Good for you! That's pretty strong--

Bagley: Okay, so Hugh then won. Ronald Reagan, again, won the general by almost a million. Hugh won by 40,000 votes. Alan Cranston to this day says, "Bill, if it weren't for you and Jack Veneman and Hugh, I wouldn't be in the U.S. Senate!" He would still be controller. Two years later then he ran against Black Max Rafferty; but he really filed against Kuchel, and filing against Kuchel was ridiculous. You couldn't beat Tommy Kuchel! He did it because he had no incumbent office and nothing to lose and then Rafferty beats Kuchel and Cranston is elected.

Morris: He walked in.

Bagley: Yes.

Morris: There are some fascinating elections in California.

Bagley: Yes, so that led to the 1974 controller campaign that you asked about.

### Crises in Campaign Financing

Bagley: Very quickly, it was the first time we had public financing of campaigns in California--I say that facetiously--via Medicare and Medi-Cal because Dr. Lou Cella stole \$400,000 from four hospitals, and I'm not libeling or slandering anyone; he was convicted and he's in Lompoc today or some jailhouse. He stole four or five hundred thousand dollars from hospitals and gave \$350,000 of Medi-Cal money--because when you steal it from welfare-impacted hospitals it comes out of Medi-Cal and Medicare--he gave \$350,000 to Ken Cory, and that's public financing via Medicare.

So I was not only running against Ken Cory. He is a decent human being. I was running against Medicare and Medi-Cal because they were financing the campaign and, I'll brag a little bit, I had every newspaper in the state except two and ran out of money. I had about \$35,000 to spend on radio and that was out of my wife's household account and I was overdrawn in the bank. Cory spent \$889,000 full in his campaign--\$350,000 came from Cella from Medi-Cal hospitals, another \$350,000 came from clean money; it came from Dick O'Neill. So that's seven hundred thousand bucks that he raised from two people. I lost.

Putting myself aside, from that point forward you saw elections skyrocket in cost. It used to be you'd run a state-wide campaign for a couple hundred grand. You'd get newspaper editorials and you would put a few ads in a few papers and some billboards; two or three hundred grand. Legislative races used to be five, ten, fifteen, twenty thousand dollars; not too many at five, but a lot of them at fifteen or twenty thousand. From '74 on, it began to skyrocket. So now, if you want to run for controller or secretary of state or some damn thing, you've got to raise half a million or a million dollars and legislative races cost up to two and three hundred thousand primarily because of Prop 9--campaign reform.

Beware of reform! That was a campaign reform which to some extent took the lobbyists out of the money business, but when the lobbyists were in the money business, they had a budget. Everybody knew this lobbyist had ten grand to hand out and he'd give you two hundred dollars to campaign every other year. Lobbyists no longer have that budget. Now, through court action they can give contributions again, but they don't so much any more because Prop 9 [1974] caused the creation of the

Bagley: political action committee. Now every industry has a political action committee and they are less personal. You knew the lobbyist and you knew he only had ten grand in his budget, and you couldn't extract a grand from him, but the political action committees are a whole new source of money and much more of it--for both sides.

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Morris: What about the Republican party and also Mr. Flournoy, who was running for governor? Did you run together at all?

Bagley: Oh, we didn't run--Yes, we did, but my campaign was so under-financed that nobody even know I was there.

Morris: Why? You were a statewide candidate.

Bagley: I was an amateur, in spite of all of these "good" things (quote, unquote) that I tried to do and did do and in spite of a fairly decent reputation. I was a blithering amateur because I did not amass myself a bunch of angels. You need ten, twenty people with ten grand each (and I didn't have them) or you need five or six that will pledge to go out and raise you fifty grand each so that you have a base of two or three hundred thousand dollars. I didn't have them; I didn't develop them. That's why I said "blithering amateur."

Hugh [was] the luckiest politician in the decade; first, he wins the controllership, which we've been through, and then Ed Reinecke gets indicted. Ed was lieutenant governor and pulls out; if he didn't pull out, he was pulled out by the public.\* He went through the primary, but he lost the primary and Hugh won it. At that point, Dave Packard and a few other people came forward and created a real finance committee that financed Hugh relatively handsomely. I don't know, he spent a million and a half bucks or so; he didn't have any extra money for me. And there is no party. When you say party, the party doesn't have money. The party doesn't give you money. The party runs around, does leg work, telephone work, and makes noise and licks envelopes and passes dumb resolutions, but the party does not give you money. There is no party in that sense

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\*Reinecke was indicted on April 3, 1974, by the Watergate grand jury, two months before the primary election.

Bagley: of the word. There is a ticket in the sense that voting Republicans nominated six people for statewide office, but they are not necessarily a ticket supported by a party.

The head of the ticket, if he has got extra dough (and Ronald Reagan did this; he helped others in his races because he had extra dough), the head of the ticket has to be somebody who can raise dough, and if he likes somebody down the line--down the line of constitutional officers--he or his people will spin off some dough. Now, I am speaking in terms of history. Today there is a little more party participation. There is more money and there are some political action committees of the parties themselves, but most of that is for the legislature. And the caucuses themselves now raise dough; so the minority leader will raise money just as the speaker, but much less. But you still don't have a party that goes out and finds \$5 million and hands \$2 million to the governor [candidate] and \$1 million to the lieutenant governor and \$500,000 to the controller. It just doesn't happen, and it's good that it doesn't.

Morris: And the legislative caucuses aren't at all concerned with the constitutional officers?

Bagley: [laughs] They could care less!

Morris: What an interesting kind of situation. That means that you've got two or three different levels of people all going to the same constituencies.

Bagley: That's why, rather callously, you need half a dozen angels, and every successful political person has had that, had a base where you can go out and get two or three hundred grand to get under way.

### Reagan's Role

Morris: What was Mr. Reagan's role? He wasn't running himself for governor.

Bagley: He helped. He came to a fund-raiser that I had at the Hyatt at Union Square [San Francisco]. But, again, I was an amateur. We didn't pull in a thousand people; we had a hundred and fifty. He showed up. He probably did more for Hugh in terms of public appearances, but he wasn't on the telephone raising dough.

Morris: Was he concerned that the kind of base he tried to build be continued in state government?

Bagley: Sure he was. I never had a conversation with him along those lines, but of course he was. He ran--after giving you a few zingers about his welfare-reform package and a few other things--he ran a very clean administration. There wasn't a scintilla of scandal in businesses getting goodies or people getting goodies or somebody getting a road paved to their lake or getting a special deal here and there, highway contractors kicking back (which happens in other states around the nation). You had absolutely none of that. You had a clean administration, in part, because you did have the business-type people who had a few dollars. I'm not advocating an aristocracy-type of government, but you had people who came out of an economic circumstance where they didn't have to and had never really been exposed to cheap stealing, and because--give him some credit--he did pick some very decent people, other than those ideologues I spoke of earlier--he picked some very decent people to run a sort of straight ship, and he had a good administration.

We went through the frenetic sixties with all of the civil-rights activity, the whole Kennedy operation, and Johnson's major bills that he passed. It might even be that we needed a sort of a plateau period where you didn't make major social progress. Hopefully, we didn't repeal too much but--

Morris: You consolidated--?

Bagley: Consolidated and sort of kept the people from getting overly agitated. If that were needed at that point in history, he certainly provided that kind of an administration, and that is needed at times. You can't just keep hammering at the public to do new things all the time. You need a consolidation and you need a plateauing, a sort of be-calming of the body politic.

Morris: That is an interesting comment because he came in with the big uproar of student unrest on the campuses and his own campaign people say that they weren't aware of that as a campaign issue but they began running into it as they went out around the state.

Bagley: Yes, and I saw Pat Brown, who is a lovable, lovable human being and I saw Ronald Reagan who is straight and honorable and then I [laughs] a little bit from the outside have seen poor Jerry Brown going down the tubes by doing what Ronald Reagan did in the first couple of years, what Carter did for four years, campaigning against and fighting the system. There is a lesson in that somewhere.

## VI THOUGHTS ON OTHER LEGISLATURES AND THE FEDERAL GOVERNMENT

Morris: You also sat on various commissions on state finance and things like that. What's your view on the idea of California as the place where government ideas are tried out, and California administration and legislative process as an example to the rest of the world?

Bagley: I don't have any great thoughts. It is true, and I haven't followed it lately, that as a legislative body we were eons ahead of most of the states. Idaho still has a session every other year for a month and a half, which means that everything is arranged in advance, which means that the lobbyists make all of their deals in December and go to Boise in, maybe not January, maybe they go in March when it's warmer, and stay there a month and a half and pass all of the bills. That's not deliberation. That's just a facade, and many, many legislatures are still operating under that kind of a process. We were far ahead, and Jesse Unruh gets credit for it. Jesse would build up that staff. Every time he'd get three, he'd give the Republicans one. That was a thousand percent because we had zero. Then we got two; that's a hundred percent more than one. So he built up a staff and he built up a professional staff. Now I haven't tracked that over the last several years. I assume some of the other legislatures are doing this now, but even the major states had pretty shallow legislative systems.

As far as ideas though--governance--I don't think that California has any hold or claim to having some grandiose scheme of government that is imparted as a harbinger of progress to other states. We don't do anything different than anybody else in an overall administration sense. It is true that we have been cleaner--no ward politics and "fixings."

Oh, you can give Hiram Johnson some credit. Pennsylvania, it used to be every governorship there would be, let's say, 50,000 state employees and 48,000 would go out of office; I mean

Bagley: a total spoils system. Hiram Johnson got rid of a strong party and I don't like the strong party because the strong party is run by the fringes and it will always be true. The fringe people show up. The moderate person stays home because he or she doesn't get emotionally involved. So by definition, you've got the emotionally involved in the party structure. So Hiram Johnson got rid of the party boss system and, of course, brought in the civil service and worker's comp and all kinds of reforms, but that's going back eighty or seventy-five years and I wasn't there then.

Morris: Yes, some of those seem to be sort of state of the art. I wondered about--

Bagley: I don't know what we've done new lately. Maybe we have and it's too close and I don't see it. But tax reform, welfare reform, crime, law and order, all those things are issues that we've been talking about, and other states have dealt with them. I don't think we did anything that different.

Oh, other states were fascinated by Reagan's welfare reform and other people from Oregon and Washington would come visit me: "What's the secret?" Well, there isn't any secret because there wasn't that great a change. You can't throw people off the rolls without somebody else feeding them or they starve. Sure, you can get rid of fraud, but you've got to have a bureaucracy that will ferret the fraud out. Changing the law doesn't get rid of fraud and it never will. Now we did change some eligibility rules.

Morris: And the bureaucracy that it would take to ferret out fraud would cost as much or more than the amount of fraud?

Bagley: They will never work at it because the bureaucracy itself isn't motivated. Maybe for a couple of years they are, but then they devolve back into their--handle twenty cases a week and that's it, period: "That's my assignment, that's what I'm going to do, and I'm not going to do any more."

The whole bureaucracy is another hour interview. You remember, I like to see the system work, but once you get out of the legislature--I spent four years in Washington as a chairman of a regulatory commission, I saw bureaucracy at its worst. We're on our third generation of incest back in Washington. That means from the original rise of major governmental bureaucracy, which was the New Deal, forward. You've got people whose



Bagley: fathers were GS-9 and all they want to be in life is a GS-12, and if their father was a GS-12, all they want to be in life is a GS-15, and they're all within the boundaries of the Beltway, and they never really get out beyond the Beltway because their antennae droop if they get out there in the real world-- I'm exaggerating to make my point. That is incestuous; there is no way around it. The only way around it is to decentralize and to let the decisions be made here in San Francisco by the regional office where the man or woman goes home to his house in San Mateo or Corte Madera and lives in the real world and interacts with people, an engineer is one neighbor and a service station owner is on the other corner and they are friends with the grocery man.

In Washington, that is not true. They are all bureaucrats and there is no interaction.

Morris: Is that true on a smaller scale in Sacramento?

Bagley: Much less so, because there there is still a real world; much less so. But, you see, you will never be able to decentralize because there is another rule or law that power gravitates.

Morris: You have to be close to the center--?

Bagley: Power gravitates, so the minute you give the regional administrator out here all this power, that will last for six months and then the national administrator in Washington will take it back because power is what you are there for.

I'm not a states' rights person in the old sense of the word, but there is one present initiative that if the national administration can pull it off and give power back to either the regional administrator, which is not states' rights, or the states themselves, you would have a much better government.

But the problem there is we used to do just that. The whole reason for the social turmoil in New York and Harlem is that Mississippi used to pay two hundred or three hundred dollars a year for a mother and a couple of kids and New York was paying twelve hundred. Now, obviously, all of the mothers and the kids went to New York. So whose fault is it? It's the old southern states that didn't take care of their people, so the feds had to step in and have a uniform national standard for welfare. That's an aside, but I'll throw it at you!

Morris: Thank you very much.

Bagley: You now know everything I think I know, and a little bit more because some of this stuff I don't know!

Morris: I can think of a dozen other questions, but I won't wear you out any more.

Bagley: No, let's quit while we're ahead. I took too much of your time, but I figured we might as well do this all at once.

Morris: I appreciate it and I appreciate your going on into some of your personal experiences related to this.

Bagley: Is there such a thing as preserving a tape, for kids, of this?

Morris: Yes. You will receive a personal copy of the completed transcript.

Transcriber: Michelle Stafford  
Final Typist: John E. McPherson

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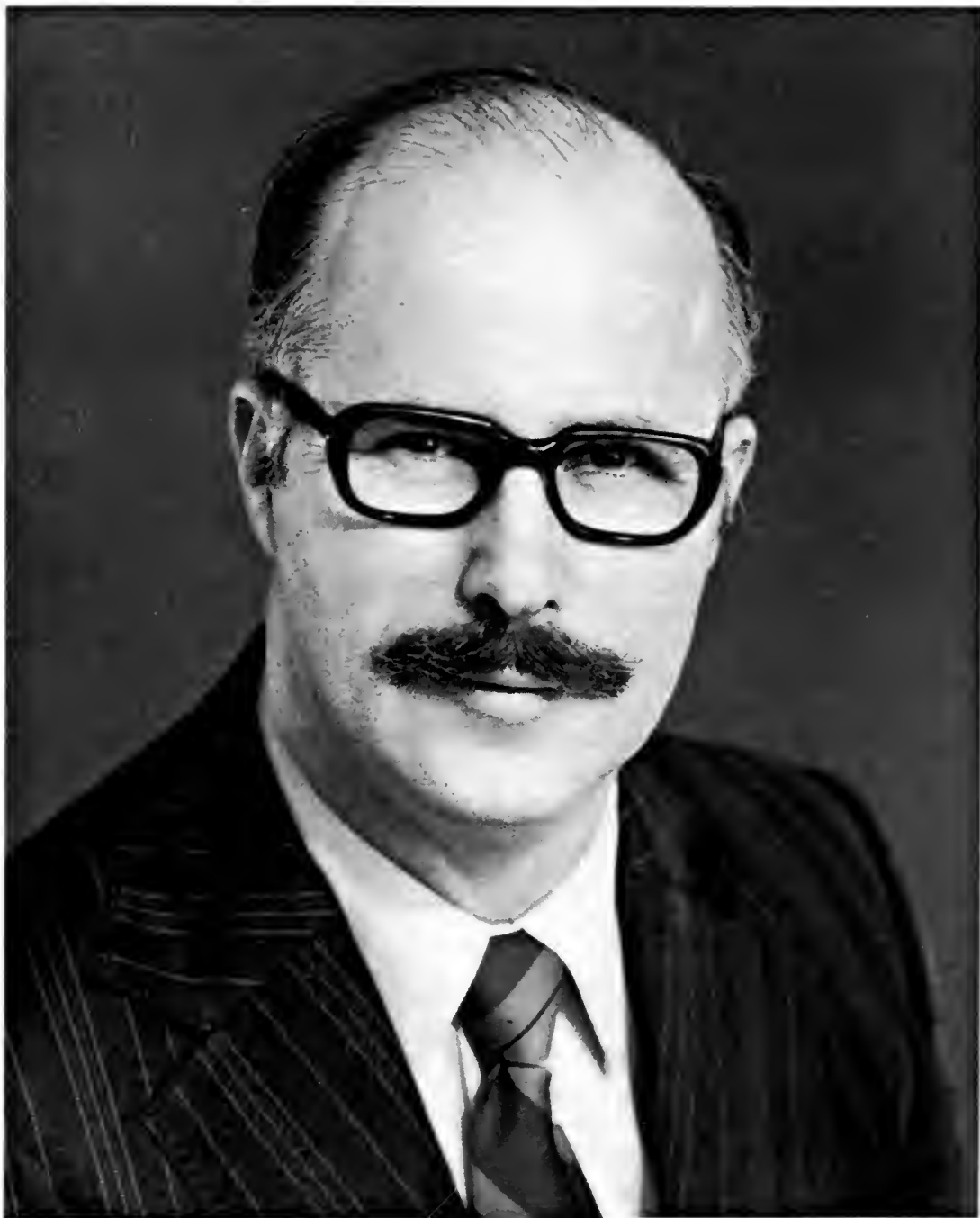
Government History Documentation Project  
Ronald Reagan Gubernatorial Era

James R. Mills

A PHILOSOPHICAL APPROACH TO LEGISLATIVE  
AND ELECTION REALITIES, 1959-1981

An Interview Conducted by  
Gabrielle Morris  
1980-1981





JAMES R. MILLS

ca. 1975



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## INTERVIEW HISTORY

The impact and effectiveness of any period in state government may well be determined by the relationship between the governor's office and the legislative leadership. In these interviews, James R. Mills, a Democratic young turk in the California assembly and later president pro tempore of the state senate, gives a succinct account of the legislature's efforts to strengthen its role in shaping state policy in the 1960s and 1970s and of the legislative leadership's interaction with governors Pat Brown and Ronald Reagan.

Mills is a tall, dignified sort who, in his spare time, is a writer of fiction and political lore. Careful and precise in speech, he frequently employs a bit of irony to make a point. He has often ridden a bicycle around Sacramento and one imagines he thoroughly enjoyed the dramatic impact of pedalling along highways up and down the state in 1974 in support of a mass transit ballot measure, Proposition 5. A historian by training, Mills generously found time to advise the Regional Oral History Office on its work and co-sponsored legislation to enable the project to proceed. When interviewed himself, in four spare hours in his busy Senate schedule during 1980 and 1981, he replied briefly and thoughtfully, occasionally checking a reference book to be sure of a name or other detail.

Mills came to the assembly from San Diego in 1959 "to slay the dragon" of Speaker Jesse Unruh's reputed undue political influence, but found that he agreed with Unruh's interest in increasing legislative staff so that they would not be "dependent on the governor's office and the third house for information on which to base action." Mills was also supportive of Unruh's development of legislative caucuses as a basis for party consideration of legislation and policy. "Governors," he comments, "tend to see themselves as the party and, like legislators, see the party as an ephemeral entity."

Of the celebrated combativeness between Governor Brown and Unruh, Mills is of the view that most of it was being displayed by people on the governor's staff: "chief lieutenants kept the pot boiling and they'd get him to say things that he shouldn't say," although his experience is that Brown himself could be mean upon occasion. On the other hand, Mills found that Governor Reagan seemed to feel that the legislature was an "unfortunate mistake of the founding fathers and that Democratic legislators existed only for the purpose of opposing his ideas." Reagan "never seemed to have any idea that we might be as interested in the well-being of the public as he."

The bipartisan nature of these comments illustrate well the inherent tension between the executive and legislative branches of government and the characteristic staunch defense of legislative parity by its leadership.

In addition to Unruh, Mills touches on the roles and influence of such key legislative leaders as Hugh Burns, George Miller, and Howard Way. What he notes is that, "it just doesn't fall together. It's not until you're part of the leadership that you really come to understand all the negotiations that go into producing a bill, accommodations that have to be made." Like others who came to hold leadership positions, Mills entered the assembly with a number of other energetic, able freshmen who formed a mutual aid society to assist each other in learning the ways of the legislature. Many of them moved on to the senate in 1968 when reapportionment led to a record number of vacancies, and they were ready to move when Hugh Burns reluctantly gave up the pro tem spot and, after several short-term pro tems, to elect Mills in 1970.

As he discusses a selection of issues that were critical during those years, it seems evident that his interest and skill have centered on legislative operations and maintaining a strong stance with the governor's office in decisions related to state spending. Given the number of bills dealt with and their variety, few legislators recall the details of any specific legislation or state program. Mills does, however, provide interesting insights into civil rights, environmental, and transportation legislation in which he felt personal and philosophical interest.

The most lively chapter of this memoir is the final interview segment in which Mills gives a candid account of the early 1981 realignment in which fellow Democrat David Roberti became senate pro tem in a way Mills felt was "pure scam" in counting and reporting votes. Professional politicians, he asserts, are truthful and, in return, "expect to be told the truth around here." Although this episode falls beyond the focal years of this project, it underscores the multiple and changing nature of reality, particularly in the political sphere, as seen by participants speaking from a broad range of vantage points.

A transcript of the interviews was sent to the senator for review and returned promptly with only minor corrections and revisions.

Gabrielle Morris  
Interviewer-Editor

12 March 1982  
Regional Oral History Office  
486 The Bancroft Library  
University of California at Berkeley

## I POLITICAL CAREER BEGINNINGS

[Interview 1: January 23, 1980]##

Growing Up in San Diego

Morris: If we could start with a bit of personal background. Are you a native Californian?

Mills: Yes, I am. I was born in San Diego at Scripps Hospital on June 6, 1927.

Morris: Had your family been in California for some time?

Mills: My parents came here from Michigan. Originally my father was from Nottingham, England, but he had traveled some before he got here. I can remember him saying--he's still alive--that New South Wales and southern California were the best places in the world to live.

Morris: Was your education also in California?

Mills: I graduated from San Diego State and then got an MA there.

Morris: Was that in history?

Mills: The MA was. The BA was in social studies, my interests were wide.

Morris: Did you get your interest in history from your parents?

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##This symbol indicates that a tape or a segment of a tape has begun or ended. For a guide to the tapes see page 109.

Mills: I don't believe so, no. My parents had not been to college. Neither one of them had the equivalent of a high school education. My father had to drop out of school then when his father was injured. He had to drop out to help support the household. My mother also had to drop out of school to go to work.

Morris: Did she continue to work when your family settled in California and while you were growing up?

Mills: She didn't do very much in the way of work. Most of what she did was secretarial work for my father. My father was a painting contractor and he needed secretarial work done and she did that. She did a certain amount of typing and that kind of thing.

Morris: Were your parents interested at all in local government and civic affairs and local politics?

Mills: My parents were interested in local government and civic affairs only to the extent that good citizens are. They never had any involvement aside from trying to vote intelligently and be informed on the issues.

Morris: I've met a number of Englishmen who settled in the United States, who liked living in the United States, but didn't want to give up their British citizenship. Was your father of that opinion?

Mills: No. My father became a naturalized citizen very soon after he decided to become a resident of the United States and thought that that was the only proper course of action.

Morris: That's a good way to look at it.

Mills: Yes.

Morris: How did your interest shift from history as an abstract theory into the practice of politics?

Mills: It all took place on a gradual basis. When I was at San Diego State, I was drawn into Democratic party affairs. I had friends who were activists and they nudged me into precinct work and licking stamps and stuffing envelopes and all that kind of thing.

Morris: For local candidates or national and statewide?

Mills: Generally for state candidates; that is, candidates for state office--members of the assembly, the senate, and candidates for statewide office. I slowly got into it a little more deeply. Each year it would be a little more involvement.

Political parties in California tend to run on volunteers and anyone who is willing to do anything at all is asked to do that and to do more. I was asked to do more from one election to the next and, by 1958, I was the chairman of one or two committees for the California Democratic Council in San Diego County, or, I should say, the county Democratic Council.

#### Candidate for Assembly, 1960

Mills: I was one of a candidate selection committee in 1959. We were looking for a candidate to run in the 79th District, which was a Democratic district, 59 percent Democratic, and had been held by the Republicans for many years, with the exception of one two-year period when we had a Democratic member of the assembly from 1954 to 1956. The candidate selection committee puzzled and strained and tried to think of who to run, and finally one of the members said, "Jim ought to run." That was how I became a candidate for the state assembly.

Morris: Do you recall who it was who said you ought to run?

Mills: His name was Sumner Slichter. [spells name]

Morris: Now, that's a name of some intellectual distinction, isn't it?

Mills: It's a name of some intellectual distinction; the name Slichter is. But I don't think that he was related to any of the famous Slichters, and if he was, he didn't admit it.

Morris: I see. Was he a faculty member too at that point?

Mills: I don't think so. He was a very bright young man who was involved in Democratic party affairs. I don't recall what he did for a living. That's twenty years ago, and more.

Morris: Right. How would it be that a district with a 59 percent Democratic registration kept returning a Republican assemblyman?

Mills: The Republicans had put up better candidates during those years.

Morris: Could you give me kind of a thumbnail sketch of what the San Diego political scene was like at that point?

Mills: San Diego was dominated by the Republican party. There was one other member of the assembly who was a Democrat, out of four, so 50 percent were Democrats. He was Sheridan Hegland. [spells name] Heg was a very nice fellow, but he was as conservative as the two Republicans on most issues, and I think that's the only way he could survive. He simply could not have represented that district if he hadn't been conservative. I represented the only district in San Diego County that was predominantly Democratic.

Morris: Yes. Now, which part of the San Diego area would that be?

Mills: I represented the downtown area and East San Diego, North Park, southeast San Diego. It was a district entirely within the city of San Diego. It was mostly the older parts of the city of San Diego and included almost all of the black people who lived in San Diego in those days.

Morris: Were there many at that point?

Mills: I think that the 79th District was perhaps 15 percent black.

Morris: How about Mexican Americans?

Mills: There was a substantial Mexican American population, but it wasn't concentrated in the 79th District. There were a good many Mexican Americans elsewhere in the county. So the total minority population of the district was probably 25 percent. That wasn't the voting strength of those groups; the voting strength was much smaller.

Morris: Right. Was there much in the way of Mexican American participation in the political life of San Diego?

Mills: There wasn't a great deal of political activity on the part of Mexican Americans then. The organizations which have since that time become a factor in California politics were at their beginnings in those days.

Morris: When you say "the downtown area," was that primarily business interests? Was the Navy important, or aerospace, at all in your district?

Mills: The navy was important. Aerospace was important. San Diego has been a Navy town all through this century and at the time I was elected the Navy was a very important factor in the economy of the area. Aerospace was too. A lot of the people who lived in my district were connected with one or the other.

Morris: It sounds as if this was a new kind of an interest in politics. You said that Mr. Slichter was a bright young man and you were on the college faculty. Was this a kind of a new effort to organize Democrats?

Mills: Well, I wasn't on the college faculty. I was the curator of the Serra Museum.

Morris: You were?

Mills: Yes. The Junipero Serra Museum. It was the historical museum of the San Diego area, supported mostly by the City of San Diego, with a smaller amount of support from the county. I was there for five years and during those five years I was steadily becoming more politically involved.

Morris: Was that a help or a hindrance to your curatorial duties?

Mills: It was a problem because the Historical Society had a Republican cast to it.

#### San Diego's Republicanism

Mills: The majority of the members of the board of directors were Republican and they weren't very happy with what I was doing. When I became a candidate for office, I resigned as soon as I announced, and they expressed their appreciation for saving them the embarrassment of having a Democratic candidate for office on the payroll

Morris: [chuckles] Would they have fired you, do you suppose, or asked you to resign?

Mills: Oh, I'm confident they would have, yes. If I had been a candidate for office as a Republican, I think they would have been willing to accept that, but they certainly weren't friendly to the idea of having a Democratic candidate working for them.

Mills: San Diego was a very Republican town and still is, to a degree. The press is staunchly Republican and has caused the thinking of the community to be rather different from the other metropolitan areas in California. Everyone knows, I think, that San Diego was the most Republican metropolitan area in the United States and no doubt still is, in the way that it votes in presidential elections, and in gubernatorial elections. San Diego is always the most Republican part of California and it goes into all facets of the community's thinking.

An example that I can give is that when I was in my second term in the state assembly, I was the chairman of the Finance and Insurance Committee in the assembly, which is one of the most important committees, a major committee. I was the Democratic Caucus chairman, which is, in terms of leadership, second only to the Speaker, or perhaps third, depending on who's the floor leader. But normally the caucus chairman is a position of greater influence than the floor leader. I held both of those positions and was looked upon in Sacramento as one of the movers and shakers, after two years here.

On the other hand, Pete Wilson, who is now the mayor of San Diego, in his second term here was the vice-chairman of some committee, and the vice-chairmanship is a purely honorary thing, and he was chosen as the outstanding young man in San Diego. Well, Pete Wilson was a Republican. If I had been a Republican, undoubtedly I would have been the outstanding young man in San Diego after two years in the assembly. But I was a Democrat and therefore it wasn't even considered. And Pete, who after two years in the state legislature really was nobody, was chosen.

Ever since that time, the situation has been the same. The San Diego press has done all that it could to make people think that Pete Wilson is a man of tremendous weight and importance and a great political leader and so forth. Certainly, never has the press in San Diego done anything to try to enhance my stature with the people of my district or the people of the county.

Morris: Going back to your first run for office in 1960, was the press a problem, did you feel, to get coverage of your campaign?

Mills: The press was a great problem for me in 1960. The Union and Tribune normally only referred to me in headlines as "Blessings Opponent." The young man running against me was a fellow twenty-three years old. His name was Edward Blessing. They never ran a story about me, as far as I can recall, that



Mills: didn't run with a story about him. Invariably, the story about him would be above the story about me, and larger, and the headline would say, "Blessing Says Such-and-Such," and then underneath it would say, "Blessing's Opponent Says Something Else." That's how they handled me.

Morris: [laughter] That was building up Mr. Blessing's name recognition, you might say.

Mills: Oh, of course, of course. The Union and the Tribune, in my election, simply made themselves instruments of my opponent's campaign, just as today the San Diego Union (not the Tribune so much) makes itself an accessory to Pete Wilson's political ambitions. The Tribune doesn't do it as a paper, although there are people within the paper who do it. They have a gossip columnist named Neil Morgan, and it's uncommon for Neil Morgan not to have reference to Pete Wilson in any of his columns. Just day by day there's a reference to Pete Wilson. It surprises me if I don't find one. It's common for him to be mentioned twice in Neil Morgan's column, and it is not uncommon for him to be mentioned three times. Sometimes, you know, it's merely a matter of him passing somebody on the street and saying hello and looking well. It's really sort of a degrading subservience.

Morris: So what did you do to combat that and put together a winning campaign? What kind of techniques did you use?

Mills: I did a lot of walking. I walked from door to door and rang an enormous number of doorbells, saw an enormous number of people.

Morris: How many people were in your district at that point?

Mills: I don't know how many people were in my district at the time. I suppose [pauses to think] it would have been about two hundred thousand.

#### Campaign Strategy and Issues: Opposition Tactics

Morris: Did you plan and direct your campaign primarily yourself, or did you hire somebody to do that?

Mills: No, I didn't hire anybody. We didn't have money to hire people to run campaigns in those days. I had a committee and we

Mills: discussed all of the actions that were to take place and we raised some money. I spent between \$2,000 and \$3,000 in the primary against an active opponent, and I spent between \$4,000 and \$5,000 in the general election against an active opponent.

Morris: [chuckles] That's marvelous. What did you spend it mostly on?

Mills: I spent it mostly on billboards and there was one mailer in the general election. In those days, you could buy a mailer for--

Morris: Postage was three cents or less if you were bulk-mailing.

Mills: Yes. You could buy a mailer with--I forget--\$2,000 or \$3,000, something like that. \$1,400 went for billboards.

Morris: Do you remember what you put on the billboards? They sort of disappeared from the scene.

Mills: The billboards had my name on them, as big as we could put it on. "Mills" is a name that's about the shape of a billboard and we told the artist that we wanted simply name identification. We wanted as many people to see the billboard as possible. It was a red, white, and blue billboard with the very vivid blues and reds that were just becoming available at that time, the sort of electric colors that are very arresting. So it said, "Elect--"(in small white letters at the top) "James R.--"(in relatively small letters) and then "MILLS--" (as big as we could make it) "Assemblyman" (underneath, in white letters). You could read the signs from a mile away, literally; I mean, we checked.

Morris: You tested it.

Mills: We tested it. You could read the signs from a mile away.

Morris: How many billboards did that provide?

Mills: Fourteen billboards.

We did a lot of cheap things. I got out a lot of news releases. I put out at least one news release a week, making a policy statement, where I stood on some issue, what I thought should be done about some problem. And the press used it whenever they had something from my opponent that they could put it underneath. [dryly]

Morris: [chuckles] Who helped you develop the topics for these policy statements?

Mills: The committee that I worked with.

Morris: Do you remember what you were making pronouncements on, some of the issues?

Mills: [pauses to think] I made pronouncements on the issues of the time. I was, for example, in favor of the Fair Employment Practices Commission. I was in favor of fair housing practices. I was in favor of the California Water Plan. Although the bond issue had been approved--

Morris: Wasn't it on the ballot?

Mills: Yes. The bond issue had been approved by the legislature. It was on the ballot that year. I supported that.

Morris: Yes. So you were running on a vote for that.

Mills: Yes, that's right. I supported that.

Morris: Was the Metropolitan Water District in Los Angeles an influence in your area?

Mills: No, no. The Metropolitan Water District doesn't serve San Diego directly. San Diego is separate and apart. It purchases water from the Metropolitan Water District, but we're not members.

Morris: How were you on capital punishment? That had been a hot issue.

Mills: I was opposed to capital punishment and I still am. Actually, it was in the course of the campaign that I came to the conclusion that I was opposed to it.

Morris: Well, now, that's interesting.

Mills: It was an issue that I had thought about and I had tended to favor it, but I wasn't really prepared to take a position at the beginning, when the campaign started. I talked to people on both sides of the issue, and got hold of materials that were available about it, and studied it very closely, and came down against it finally. It was an issue in the primary campaign. My opponent was for it and he recognized that the people were for it, so he made it an issue. My opponent in the general election campaign, Ed Blessing, also made it an issue.

Mills: But more important than that was the accusation that I was either a communist or friendly to the communists. That was standard Republican campaign procedure in those days. Democrats were leftists at the very best and probably communist sympathizers. My opponent, Ed Blessing, put out a mailer in the course of the campaign, toward the close of the campaign, which was a red, white, and blue mailer, and he compared his positions with mine. All of his positions were stated in blue and all of my positions were stated in red and some of them weren't my positions.

I had been endorsed by the Democratic Council, which was in favor of recognition of Red China and in favor of the abolition of the House Un-American Activities Committee. Actually, I was against both at the time, but he said that I was for them because I had been endorsed by the California Democratic Council, and he felt that it would be difficult for me to repudiate positions taken by the Democratic Council. I did repudiate them.

It took me a while to see the light on both of them. I forget just when I did change. It was probably '63 or so that I decided that we really should abolish the House Un-American Activities Committee. I began to pay more attention to that too. And I came to a conclusion that we should recognize Red China--I think, somewhere at the same time.

But it was kind of a standard junky Republican campaign and Republican campaigns in those days were junky.

Morris: That's an interesting description. Why do you say that?

Mills: Because most of them were based on the accusation that the Democratic candidate was a leftist, probably a subversive. Most of them were campaigns against narcotics; and every Republican was running against narcotics and saying that the Democrats were soft on the problem of narcotics, that they were sympathetic to the use of narcotics. They were two-pronged campaigns. They were running those campaigns because they were falling into a minority position and trying to fight their way out of it by discrediting Democrats who would otherwise win.

I and most Democrats campaigned, in those days, for something and we would say what we stood for. The Republicans, for the most part, were saying that that wasn't true, that we really wanted to hold office because we were leftists and wanted to lead the nation into some kind of a--

Morris: Socialist state?

Mills: Socialist state, that's right. It was pretty trashy, what was commonly done.

At one point, my opponent's campaign chairman, whose name was Rodgers--his first name, nobody ever used; he was called Buck Rodgers, M.D. Rodgers--was spreading the word that I had left the San Diego city school systems because I had refused to take a loyalty oath.

Morris: And that was a very touchy issue all through the '50s. Had you--?

Mills: Had I refused to take the loyalty oath? No.

Morris: What had you done about the loyalty oath?

Mills: I had taken it. I had thought it was [chuckles] kind of a foolish thing, the loyalty oath. In fact, I had to take it all the time. You had to take it every time you got a check, it seemed.

But I had not left the San Diego city school systems for that reason. I had left the San Diego city school systems because I wanted to do some other things. When I became the curator of the historical society, I had to sign the same loyalty oath.

But that was the kind of campaign they ran. That was standard Republican campaigning. So I had to answer again and again that question: "Mr. Mills, is it true that you left the San Diego city school systems because you refused to take the loyalty oath?" or "Isn't it true--?"

Morris: A "Have you stopped beating your wife?" kind of question.

Mills: Yes. And it wasn't true. But that was the kind of campaign issue that the Democrats faced then.

One reason, by the way, for the decline of the Republican party since that time is that those issues finally wore out with the public. The public just simply got tired of hearing that all the Democrats were--

Morris: Pinkos.

Mills: If not communists, that they were socialists; and if not red, at least pink. They got tired of hearing that the Democrats were sympathetic to the use of narcotics. In fact, it simply was so unbelievable that, when the public heard it enough times, they decided that it deserved no credit whatsoever. That was the time at which the Republican party really began to lose out, because on the issues the Republican party was losing long before, so the Republican party retreated from the legitimate issues in those years, in the '50s.

Now it's become a minority party--a small minority party, in effect--because it has had to campaign on what it stands for in the last few elections.

State Democratic Committee Support; Fund Raising

Morris: Did you get any advice or support, financial or organizational, from the state Democratic organization when you were running for the assembly?

Mills: I got some support from the state committee, but that was from Bill Munnell and Jesse Unruh, actually.

Morris: Was it financial support?

Mills: Yes, financial support, a few hundred dollars.

Morris: Did you have any conversations with them about strategy in the campaign or kind of coordinating with issues that other candidates were addressing?

Mills: They both came to town. Jesse and Bill came to town to talk with me about the campaign. They wanted me to win it and we discussed campaign strategy, what was taking place, what we were doing, how we were approaching the campaign.

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Morris: While turning the tape, I lost reference to Leroy Seckler. Can you fill in his role?

Mills: He was my primary opponent.

Morris: Was Mr. Unruh coming as a representative of the state party or from the assembly caucus?

Mills: I don't recall. They came together. They flew in in a light plane. They were making a tour to see all of the Democratic candidates, at least all of those who had a reasonable shot at winning. They didn't, for example, do much for the other candidates in San Diego County. We had a man running for the assembly in the 78th District. His name was Lee Pool. I don't think they did anything to help Lee. Lee was a very good candidate, but it was a district the Democrats couldn't win. We had a good candidate in the 80th District running against Jack Schrade, and they gave him some help.

Morris: Was Schrade an established incumbent at that point?

Mills: He had been a member of the assembly for six years and the same person had almost beaten him two years before. In 1958, when the Democrats did so well, Jim Bear came within a couple hundred votes of beating Jack Schrade. So in 1960 it was felt that he would beat him because he had one campaign behind him, and he was by that time known. He'd been an unknown when he started the campaign in '58. So we all expected that Jim Bear would win that campaign, but he didn't. The reason that he came so close in '58 was that that was a terrific year for Democrats. 1960 was not as good. Nixon carried California against Jack Kennedy and there were no coattails to ride, whereas Pat Brown, in winning against Bill Knowland in 1958, won by such a tremendous margin that Democrats all over the state were carried into office by the sweep. Jim Bear almost made it.

Morris: But he wasn't strong enough to repeat that on his own and take the district from Schrade.

Mills: No. The next time out, he lost by a wider margin.

Morris: You said that the California Democratic Council endorsed you. Do you recall what other endorsements you had from your local area?

Mills: I was endorsed by COPE [AFL-CIO Committee on Political Education].

Morris: How powerful was that in local elections?

Mills: They were helpful. They scared up a few dollars for me, not very much. In those days, a big campaign contribution from a labor union was \$100.

Morris: Well, if you needed \$4,000 altogether, \$100 goes a lot further in that kind of situation.

Mills: Yes.

Morris: Who else? What other kinds of--

Mills: Endorsements?

Morris: Organizations and sources and so forth.

Mills: The chief sources of support were Democratic contributors. I got contributions from all of the people who contributed to Democratic campaigns normally, once I became the nominee. It was harder to get money in the primary.

Morris: Who was doing your fundraising for you?

Mills: I did as much of it myself as anybody. We had a little finance committee that included the treasurer, whose name was David Ferrall; William Moeser; Jocelyn Gue.

Morris: Is that a male or a female Jocelyn?

Mills: It was a female Jocelyn.

They were the finance committee and they helped me raise some money. Most of the money came from my asking for it.

Morris: Personally?

Mills: Personally. The worst part of campaigning. That's really something that is very hard to do.

Morris: [chuckles] That's what we hear from everybody. Are there any circumstances under which it is less painful, or any people who take to campaign fundraising with enthusiasm?

Mills: The people that it is easiest to raise money from psychologically are those who are easiest to raise money from; that is to say, someone who normally makes a contribution cheerfully and doesn't have to be talked into it, someone who normally supports the candidate and likes the candidate. It's easier to call a friend who has made many a contribution in the past and is always willing to do so. It's easy to call such a person, but to call someone that you don't know very well to ask for money is a very difficult thing. That was necessary in that campaign. Once you become an incumbent, it's much easier, you know; you can have somebody else make the phone calls.

Morris: Yes. Did you feel you were going to win?



Mills: Well, I thought the issue was in question. I didn't know how people would be responding to the charges that were made. I was worried about all of the accusations that the Republicans made about me. It was ironic, because each time I faced a Republican candidate who raised questions about my loyalty, it was someone who had by hook or by crook managed to evade the draft.

Morris: These were all people that you knew, having lived in that town all your life?

Mills: Well, no. I came to know them.

The worst campaigns for me, in terms of accusations that I was not a loyal American, were 1960 (Ed Blessing) and 1970 (Henry Boney). Ed Blessing, at that time, was doing all that he could to stay out of the army, and eventually succeeded. Henry Boney was a man who had done all that he could to stay out of the army in the Second World War, and succeeded; bought a little farm someplace [dryly] because farmers were exempt, and carried on his business as usual, and made a lot of money during the war, and had a few acres that he spent an hour or two a week on in order to be able to qualify for the exemption that was granted to farmers.

It would seem to me to be ironic that the people who waved the flag and raised questions about my loyalty were people who had found means of avoiding serving that flag, whereas I was a member of the American Legion and the VFW and had served in the United States Army during the Korean War--quite willingly, by the way. It didn't bother me a bit.

Morris: Did the Legion and the VFW give you any support as individual members?

Mills: Individual members did, yes, because I had friends in both the Legion and the VFW that I'd known for many, many years, and when they heard that kind of thing they thought it was a lot of bosh. But people in other posts heard it. One of the things that was done in the Republican campaign in 1960 to me was that the Republicans got around to all the various Legion posts and spread that story that I had been let go by the city schools because I wouldn't sign the loyalty oath. So as far as the Legion in general was concerned, I expect probably I had a lot of problems with Legion members.

## II FIRST YEARS IN THE LEGISLATURE

### Getting to Know Jesse Unruh and the Governor's Office

Morris: When you came up here to the legislature as a freshman, did you have some special things that you hoped to accomplish?

Mills: I was very much interested in the economic problems of the district and still am, trying to create a more healthy economy in San Diego, a broader-based economy. San Diego had a narrow base in those days. It was largely Navy, aerospace, and tourism. It has a broader industrial base nowadays.

Morris: Did you have any thoughts about the legislature in general, the assembly in general, how it should function or--?

Mills: When I came up here, I thought it should be freed from the pernicious influence of Jess Unruh. I was a good member of the CDC. I had been endorsed by the CDC, which was a major reason for my nomination, and the CDC line was that Jess Unruh was a very evil man who collected money from lobbyists and used it for political purposes and that he was corrupting the process.

Morris: He was not yet Speaker, was he?

Mills: No. He was the chairman of the Ways and Means Committee at that time and was looked upon by CDC people as an old-fashioned corrupt political boss.

Morris: Had you felt any sense of that when he came down to visit your campaign?

Mills: The contact was very short. He was very jovial, and I expected him to be. He was nice. He was pleasant. He was bound to be.

Mills: I came to Sacramento figuring that one of the things I needed to do was help slay the dragon, and I found out in the course of the first year that Jess Unruh was the one person in the state capitol who believed most strongly in the policies that I believed in and was doing most to try to get them embodied in state law. So it took me a little while to change my orientation, but I did. By the end of the year, I had a totally different view of the whole thing.

I had been given to believe that Jess Unruh also was cutting away at Pat Brown and that he was destructive of our leader in the state of California. After I'd been in the legislature for a comparatively short period, I decided that most of the combativeness was being displayed by people who were on the governor's staff, that that was a battle that was carried on, a war that was carried on, more by the administration than it was by Jess. I remember time after time, when I became close to Jess, when we'd try to make peace with the Governor and think that we'd made peace, and the following week he'd kick the bejesus out of us. You know, he'd kick the hell out of us and it was impossible to make peace with him. If it had been left to Jess, all of those battles wouldn't have continued because he knew he was being damaged by it and that the public conception--

Morris: Jess knew he was being damaged by it?

Mills: Oh, yes. And damaged within the party by it. And he knew that the public conception was that he was attacking the Governor. Well, very often he was, but that was because we really had no choice.

People like Hale Champion and Winslow Christian in the governor's office were never willing to have peace with Jesse Unruh. They had their own reasons for not wanting peace, and they made sure it didn't happen. One reason was that it seemed pretty clear that Hale Champion had high political ambitions and that he himself wanted to be governor. He was very concerned that if Jess Unruh could settle his problems with Pat Brown and that whole conflict could be ended, that Jess Unruh certainly would be the Democratic nominee for governor when Pat Brown stepped down, as Pat promised to do in 1966. That is, he promised he would step down in 1966; he promised Jess that. The idea of peace between the assembly leadership and the administration was an intolerable idea to Pat Brown's chief lieutenants. I

Mills: don't think it was intolerable to Pat; but they just kept the pot boiling, and they'd talk him into it. They'd get him to say things that he shouldn't say.

Morris: Champion would get Pat Brown to say things that he didn't need to say?

Mills: Yes. And Winslow Christian. My recollection is that those were the chief war hawks. Jess probably would add another name or two if you ask him. You probably have asked him.

Morris: We would like to ask him.

### Confrontations with Pat Brown

Mills: Everybody had the feeling that Pat Brown was an amiable, bumbling politician. That wasn't correct. First, he wasn't bumbling at all. He was a very smart politician. Second, while he was amiable most of the time, he was capable of being meaner than hell.

Morris: On what kinds of things?

Mills: In these battles between the assembly leadership and Pat Brown, Pat Brown was just as tough as he could be and hard and combative. He's a very tough guy.

Morris: In what kinds of instances? You mean, in negotiations on a bill or on party decisions?

Mills: No, just in the conflict that took place. His attacks were often very fierce; his attacks on me, for example. I did something I shouldn't have done. The Brown administration decided to spend money with the aerospace industry and asked the aerospace industry to look into various problems--waste disposal and one thing and another.\* It was a boondoggle, pure and simple. They gave various firms substantial amounts of money to answer the problems that the state had--unemployment and all that kind of thing.

Morris: Systems analysis.

Mills: Yes.

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\* In 1965

Morris: Yes, I've come across some of those studies and I wondered--

Mills: It was just to give the aerospace industry some money at the time. The aerospace industry was having trouble and they just wanted to give them some money, so they gave them some money. They took the money from various programs--crippled children's program, for example. I asked the legislative counsel for an opinion as to the legality of it and they told me it wasn't legal and so did the analyst's office; verbally they told me that. So I raised a question about it publicly, that this was an improper use of funds. They had been after me so much because I was close to Jess and they had been making life so hot for me that I called up the district attorney and said, "This has been taking place and you ought to look into it." [chuckles]

But that was a big mistake. I shouldn't have done that. But I was really, really peeved about a number of things that they had done to me. Pat Brown's response was to demand my removal as the chairman of the Rules Committee and to do everything he could to achieve that and he was quite merciless about the whole thing.

Earlier, at the beginning of 1963, the Democratic county committee hadn't been doing very well in San Diego County and some of the leaders of the county committee asked me to become chairman. I said I didn't want to.

They said, "If we get a majority of the members of the county committee to ask you to accept the chairmanship, will you accept it? We think there's a general agreement that we simply have to have new leadership in the county committee and we think you're the right person to do it."

I said, "If you can get a majority of the members to sign their names on a list saying that they want me to be county committee chairman, I'll take it, although I really don't want to." They got a majority of the members of the county committee to sign their names on the list, and I said that I would accept it.

The people connected with Pat Brown found out about it and decided that they didn't want me to be chairman of the county committee in San Diego because I was close to Jess. So Pat Brown personally called up members of the county committee and asked them to renege upon their pledge to support me; and when the governor calls up members of the

Mills: county committee, the county committee is going to do what they're asked. I didn't know that was taking place, and I was defeated for the county committee chairmanship.

Morris: Oh, dear! In an open election?

Mills: Yes, in an open election. It was a great embarrassment to me, and it was an indication of the way the Brown administration worked. Everybody thought how amiable and sweet Pat Brown was. Pat Brown never told me he was doing that; nobody told me he was doing it. They wanted to rub my face in a defeat. They wanted not only to have their way, but they wanted to have their way and make sure that everybody knew they had their way, and they wanted to do it in such a way that I, because I was associated with Jess Unruh, would be put in the worst possible position. So, in a secretive program of undermining me in my own county, they did that.

Pat Brown talked to me later about it. He said, "Well, Jim, you know, I had to do it because it isn't right for an elected official to hold high office in the party."

And I said, "Is that why you supported Stanley Mosk for state committee chairman?" because Stanley Mosk at that time was state committee chairman and Pat Brown had made him state committee chairman. I said, "Pat, the one thing about this whole process that I think is unforgivable is that you didn't call me. If you didn't want me to be county committee chairman, you should have called me and told me; because I wouldn't have tried to do it. All I knew was that a majority of the members of the county committee wanted me for county committee chairman, and then I got defeated for it, which did me a tremendous amount of political damage, because of you. You didn't have to call those other people up. All you had to do was call me up, and you know that all you had to do was call me up." And he had no answer whatsoever to that.

But was Pat Brown amiable? Pat Brown was amiable and a nice man and still is, most of the time. But he was capable of being as savage in political in-fighting as anybody I've ever met.

Morris: If he had asked you, would you have decided you couldn't chair the county committee?

Mills: Sure. I wouldn't have tried to be county committee chairman if he had told me he was opposed to it because I knew that if he was opposed to it, he could stop it. What is the average

Mills: county committee member going to do when the governor of California calls up and asks for a vote one way or the other? He's going to be flattered by the call; he's going to do just what the governor asks.

So they set me up for that one because they wanted to make me look bad and then they protested innocence of everything that took place. If ever any of us did anything that they thought was destructive to them, why, it was just another one of our mischievous and unwarranted attacks upon our amiable--

Morris: Bumbling governor.

Mills: Bumbling governor, yes.

#### Differences of Opinion: Funding Government Organization Studies

Morris: Going back to the business about the aerospace studies, why was it felt that the money was being taken away from the crippled children's programs in order to do these studies?

Mills: It was. The money had been appropriated by the legislature for other purposes. They had no legislative authority to spend it for the other purposes. Now, by the way, I mentioned earlier that verbally the legislative counsel said it was illegal. When they issued a written opinion, they said it was legal. The legislative counsel, in those days and still today, is inclined to issue opinions that will cause the least problem for themselves. So at that time they issued an opinion that said that that was legal. A year or so ago, they issued an opinion that said it wasn't.

That is to say, in 1978 or 1979, I cited their earlier opinion to me because we very much wanted to use some money to accomplish a purpose that I thought was a worthy purpose and it looked as though we'd have trouble getting a two-thirds vote for it in the legislature, although we could get a majority for it. I pointed out that legislative counsel had said that that kind of a transfer was quite all right, it was an appropriate exercise of executive authority, and I based it upon the opinion that they gave in 1965 supporting what Pat Brown had done. They gave me an opinion saying that they were mistaken in '65.

Morris: [laughter] Oh, dear!

Well, one of the big issues at that point seemed to be that there were needs to reorganize government and to increase the efficiency of the money spent.

Mills: Yes.

Morris: From that point of view, were some of these analyses that were made by Lockheed and other people on the information systems and the correctional system and the criminal justice system--was there a need for that kind of long-range study of various governmental operations?

Mills: I'm not aware of any benefit that flowed from any of those studies.

Morris: [chuckles] Well, the comment's been made that maybe they were ahead of their time in trying to consider an entire system, through the operation of the executive department into the cost to the state taxpayers.

Mills: I guess they were ahead of their time, because I don't recall any state policies being affected by the reports that we got.

#### Changes in the Legislature

Morris: The other thing I'd like to go back to, and I don't know if we have time this morning, is the policies that you and Mr. Unruh agreed upon, that you felt should guide the legislature and the state government.

Mills: Well, we agreed upon the things that became the policies of the state: the fair housing act, for example, the Rumford Act. Generally liberal programs. We agreed upon trying to come up with more intelligent approaches to dealing with the narcotics problem, but we didn't have much success. All we finally passed were bills that increased the penalties, which had apparently no particular benefit. They were programs that were basically sponsored by Republicans, and we couldn't think of anything better to do, so that's what we did.

Morris: So you, in that case, would develop a bi-partisan kind of a--

Mills: No. They were basically Republican programs.



Morris: Did you share attitudes about how the legislature should function?

Mills: Very much so. The changes that took place in the legislature were remarkable and made the California legislature a very fine law-making body, which it hadn't been prior to that time. The staff that we put on to give the legislature a capacity to do its own research and evaluation of measures made all the difference. Prior to the time that Jess was Speaker, both houses of the legislature were dependent upon the administration and the third house for all the information upon which we based our action.

However, those changes did serve to further conflict with the Governor. ## His office resisted the idea of legislation to enable us to hire staff to do our own analysis of bills and that kind of thing. All those things that took place which made the California legislature the outstanding state legislature in the United States, Pat Brown was opposed to; the administration was opposed to. Not only did the California legislature become the outstanding state legislature in the United States, but I think it became the outstanding legislature in the United States. That is, I think it became substantially better than Congress in addressing problems and in solving problems, and still is. One of the problems that we have in the United States today is that Congress doesn't seem to be able to formulate policy where policy is needed, to deal with the major questions that face the country.

Morris: I was startled to see in a press statement yesterday, I guess, that the Congress had only scheduled eighty working days for 1980.[laughter]

Mills: Yes.

Morris: Maybe we should stop there for today.

Mills: Okay.

Morris: Thank you. You've opened up some very interesting areas. [Remainder of tape records press conference held by Senator Mills immediately after interview session to announce a joint resolution proposing to simplify state personal income tax reporting and collecting by incorporating federal law into state law.]

## III ASSEMBLY ORGANIZATION

[Interview 2: February 6, 1980]##

Speaker Ralph Brown: Leadership and Party Loyalty

Mills: Did you get me into the assembly?

Morris: Just. You came up here "to slay the dragon." That was the way you put it.

Mills: Yes.

Morris: I wanted to pursue that line and ask you what your recollection is of what Ralph Brown was like as Speaker.

Mills: Ralph Brown was a Speaker who tried to play the part of the honest broker; that is, in the sense that he was there to be a catalyst, to create a favorable environment for the assembly to accomplish what the assembly wanted to accomplish. Ralph Brown never attempted to provide very much leadership as far as policies were concerned, as far as issues were concerned. He didn't feel that it was his responsibility to try to get legislation passed. He felt that it was his responsibility to try to make the assembly work right, to make sure that the assembly performed its responsibilities well, and he left it to the partisan leadership to deal with policy.

So Jess Unruh more than anyone else was carrying the load of getting legislation passed and he had the assistance of Jerry Waldie in those days, and Bob Crown, and to a degree Bill Munnell, but Bill Munnell played an independent role.

Morris: Was Bill Munnell closer to the state Democratic committee than to the legislative organization?

Mills: Oh, I don't think he was closer. I wouldn't say that he was closer. He was independent.

Morris: In what way? Independent in his ideas as to what kind of legislation there should be?

Mills: He simply pursued an independent line. The official party-- I don't know what the official party was in those days. The state committee didn't amount to anything. The state committee's positions were not important to anyone. They were adopted in a pro forma fashion, just as the platforms of the parties are adopted today on the national level by the conventions. After it's done, it's forgotten and the candidates go their way.

CDC was vital and active and had begun to take positions and attempted to influence the legislature, influence the Democrats in the legislature into adopting the positions that CDC took. CDC was endorsing in those days. Well, it's still endorsing, but in those days the CDC endorsements were very important.

There was a good deal of conflict between Jess Unruh and CDC developing. Bill Munnell didn't take sides in that. He simply went his way, doing whatever he thought was best for the state. He was an independent agent.

Morris: Wasn't he state chairman at one point for the Democratic--?

Mills: Yes, he was state chairman.

Morris: But that didn't really reflect the party's influence? It was more Munnell as an individual?

Mills: Yes. The state committee didn't amount to anything. The state committee made no difference. The state committee was there because the law said it was there and because they could meet once every two years and get together and Democrats could tell each other stories and have dinner together and talk about old times.

Morris: I'm curious as to why the state law says that the party will be there.

Mills: Well, it was all done in the time of Hiram Johnson, I think. The state parties had been very powerful before Johnson became governor, and the corruption of the time was felt to be related to the two parties; that is, the two parties were felt to have been corrupted by the influence of the Southern Pacific Railway and others. One of the reform movements was to diminish the power of the parties because the parties had been corrupted, so the law set forth the party structure. So there was to be a county committee in each county, and a state committee, and the powers of both were circumscribed; they were both hamstrung.

When you talk about an official party, there really wasn't any official party to speak of; the official party was the officeholders. If you looked for where the party was, that's where it was. Pat Brown looked upon himself as the head of the Democratic party, and anyone who didn't go along with what Pat Brown wanted was not a loyal Democrat; that was his attitude.

Morris: Was that peculiar to Brown?

Mills: No, I don't think so. I think that was the attitude of every governor. The governors had come to look upon themselves as--

Morris: As the party.

Mills: As the party, in effect, the leaders of the party. And all Democrats should be loyal to the party's leadership.

Morris: At what point was the idea developed that Ralph Brown should be appointed judge?

Mills: I don't know. I wasn't party to it.

Morris: Was there any thought that the Assembly should have a stronger Speaker?

Mills: Not that I'm aware.

Morris: So this was just that Pat Brown had need of another judge and was appointing Ralph Brown as a likely candidate for the bench?

Mills: The way I understood it at the time was that Ralph Brown wanted very much to be a judge; he prevailed upon Pat Brown to appoint him. Lou Cannon and others have seen the hand of

Mills: Jess Unruh in it, that Pat Brown appointed Ralph Brown to a judgeship because Jess Unruh had twisted Pat's arm because Jess wanted to be Speaker.\* I think that is so fanciful that it isn't worth denying.

### Jesse Unruh's Election as Speaker

Morris: [chuckles] Was Unruh in position to be a likely candidate for Speaker when Ralph Brown went to the bench?

Mills: Well, at the time, it was very much in doubt. That's one of the reasons that Lou Cannon's theory doesn't make much sense. Jess Unruh was a long shot, I think, for the Speakership, until the Breakfast Club went for him. Carlos Bee had more votes than Jesse right from the beginning.

Morris: Which breakfast club?

Mills: The Breakfast Club made Jess Unruh the Speaker. The Breakfast Club was a group of Democrats who met on Tuesday mornings for breakfast. They included Jack Casey, Joe Kennick, John Williamson--

Morris: John Williamson, who was just retired as senate administrative officer?

Mills: That's right. [continues listing Breakfast Club members] Tom Carrell, Jim Mills, Gus Garrigus, Eddie Z'berg, Myron Frew, and George Wilson. They were all members of the assembly. We met every week and we agreed that we weren't going to go, we weren't going to be picked off one-by-one by either side, that we were going to decide which way we should go, and we'd do out best to sort it out, and then go for the one that we thought would make the best Speaker. We thought that those nine votes would be decisive, which they--

Morris: Yes. You agreed to stick together as a bloc.

Mills: Yes. Those nine votes were decisive and that was what made Jess Unruh Speaker. We called Jess to Tom Carrell's house to tell him we'd made a decision. We all met at Tom Carrell's

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\*See Ronnie and Jesse, A Political Odyssey, Lou Cannon, Doubleday and Company, 1969

Mills: house in Los Angeles--actually, I guess, it's in San Fernando--and asked Jess to come over that weekend. He came over and we told him we'd decided we were going to support him for the speakership. That took him, I think, from twenty-eight votes to thirty-seven and that's what made him Speaker.

He was then only four votes short and when you're only four votes short it's no great trick to pick up the rest. At that point, everybody wanted to get aboard. When he had thirty-seven votes, then there were all kinds of members of the assembly who wanted to be aboard on time; they wanted to be one of the vital forty-one. The forty-first vote, I think, was Alan Pattee, but it went very fast after he got the thirty-seven. He understood and we understood that night that we were making him Speaker, and all the commentary about how Ralph Brown was moved aside for Jess Unruh is foolishness.

The other people who can tell you about that meeting, who were at that meeting, who are still alive, include John Williamson. [pauses to think] Let me see. You might want to ask John. Jack Casey is dead. Eddie Z'berg is dead. Tom Carrell is dead. But there are people around who were there, who can tell you the story.

Morris: Were they much older than you, or does the assembly wear people out that fast?

Mills: Some were older; some were younger. I guess they were all older except Eddie Z'berg. I don't know if Eddie was older.

Morris: Why did you not decide on one of the nine of you as your candidate for Speaker?

Mills: Jess had twenty-eight votes at that time. I forget how many Carlos had. Carlos had more than that; Carlos had thirty or so. I don't think any of us thought that it could be put together for any one of us.

Gus Garrigus could tell you about it, if you'd like to get him on tape. It's necessary to understand that a lot of what's been said about Jess becoming Speaker is false.

Morris: Why did you decide to put your nine votes with Jesse rather than with Carlos?

Mills: Carlos was a very nice fellow and everybody loved him. He was one of the pleasantest and decentest people you could hope to meet, but Carlos didn't have the same kind of commitment ot issues that Jess had. Jess had been chairman of the Ways and Means Committee, and as chairman of the Ways and Means Committee he had worked very hard for bills that we believed in, and we simply thought that the assembly would produce better policy with Jess Unruh as Speaker, trying to get Democratic programs through, than we would with Carlos.

Morris: It sounds like you thought Unruh had a stronger sense of direction and leadership, where he thought things ought to be going.

Mills: Yes, Unruh had a stronger sense of direction and leadership than Carlos, relative to the major issues of the day.

Morris: Were you already, in the assembly, thinking of developing the Senate's capability in research and staffing and things of that sort?

Mills: The Senate didn't have any capability.

Morris: I'm sorry. I meant the assembly.

Mills: In the assembly, no, we hadn't thought about it at that time. We hadn't gone that far. Jess had been thinking about it and after he became Speaker he immediately began to see to the development of that capacity.

#### Role of the Democratic Caucus

Morris: Was the Democratic Caucus formed before or after Unruh became Speaker?

Mills: Before. It was formed at a time that relationships between Jess and Bill Munnell were deteriorating. Bill Munnell was the majority floor leader. Jess wanted somebody he could work with as a party leader and Bill was going his own way, so Jerry Waldie was made caucus chairman.

Morris: Why Jerry?

Mills: A very able and bright young man.

Morris: Was the fact that he was from northern California a factor at all?

Mills: I don't think so, because I was the next caucus chairman.

Morris: When it was formed, was it--? [tape off briefly while Mr. Mills' assistant enters to ask him some questions] I was asking about the starting of the Democratic Caucus. Was it intended from the beginning to have a role in elections as well as in the day-to-day business in the legislature?

Mills: I wasn't conscious that the caucus was intended to have a role in the elections at the beginning. At the very beginning, it seemed as though it was simply an office that was created to put Jerry Waldie in, but before long it began to develop additional capacity. By the time I became caucus chairman, we were discussing what staff we could add to give some assistance to members, as the caucus staff has been giving assistance to members since. We agreed that whatever we had, the Republicans would have. The Republican Caucus chairman-- I'm not sure who it was at that time, whether Don Mulford was caucus chairman or floor leader. But whatever we did for ourselves, we did for the Republicans, and the Republicans went along. The caucus staff grew a step at a time, a person at a time, through those years, but it started without staff. At the very beginning, the caucus had no staff.

Morris: I came across a reference to some objections from the Republican party. This was when Caspar Weinberger was chairman of the state Republican committee.

Mills: Yes.

Morris: Do you recall either Weinberger or the Republicans having any objections to this idea, the legislative caucus?

Mills: I don't remember the Republican legislative leadership having any objections.

Morris: Was the caucus something that was also established by means of legislation?

Mills: No, it wasn't established by means of legislation.

Morris: Then how did you staff it? What did you use for money to staff it?



Mills: We used contingency funds and hired people for the two caucuses simply by creating positions and saying they were caucus positions. That's the best I can remember.

Morris: This is over and above committee staff and research office staff?

Mills: Yes.

Morris: Was the Governor involved at all in the caucus, or was this purely for legislative--?

Mills: No, the Governor wasn't involved.

Morris: Because earlier, apparently, governors did have an informal lower-case caucus function. They would invite the legislature of their party into their office for discussions. Was this anything that Brown did?

Mills: Sometimes. Yes, he did that. But after we established the caucus, usually, if he wanted to talk to the Democratic members, he would come up. If there was some bill he wanted to talk about, he'd get in touch with Jerry Waldie or with me or whoever the Caucus chairman was and ask if he could have a meeting with the caucus. We'd have it on our ground, not on his. It would be held in the assembly lounge, probably.

Morris: Is that when the idea of bills introduced for the governor changed? This was something, apparently, that Brown had put in.

Mills: What was that?

Morris: I guess, in '59, there was a system developed by which people would introduce bills for the governor.

Mills: Well, they were departmental bills.

Morris: Yes.

Mills: It would say on the bill that it was a departmental bill. When did we do away with that? I don't remember just when it was. We did away with it because we thought it was unhealthy to identify bills as administration bills, as departmental bills. We thought all bills should be considered on their merits. Up to that time, it was a great advantage to have the bill identified as a departmental bill. That went right on the front of the bill; I mean, it was right on the face of the bill.

Morris: Was this an issue with Pat Brown, this change?

Mills: I don't remember much dispute about it. I don't suppose he liked it much, but I don't remember any public debate over it.

Morris: Did the caucus have some interest in elections as early as 1962?

Mills: Practically none.

Morris: Let's see. Would you have been chairman by then?

Mills: I think I became chairman in 1963.

Morris: '63. Okay. So it would not have had an effect on either Pat Brown's re-election in '62 or your re-election.

Mills: No. No, at that time, a caucus chairman presided over the caucuses. I did that. And one or two staff people were there to be of assistance to the members if they needed something done in the way of information, and political information that related to legislation, that kind of thing. But the caucus staff was not involved in political activities in the way that it's been involved since.

Morris: When did that begin?

Mills: I think it really developed after I left the assembly. The caucus staff was steadily growing, and as it grew it involved itself more and more in everything. Jess may remember better.

#### IV LEGISLATIVE SUPPORT SERVICES

##### Staffing; Constituent Contact

Morris: So the caucus staffing was growing sort of parallel with the staffing for individual legislators and committees?

Mills: That's right. The increase in staffing of legislators was taking place at the same time. We had, at the time I was elected, in 1960, a secretary in the capitol. That was all that any member had.

You asked about what kind of a Speaker Ralph Brown was. Ralph Brown was a Speaker who was opposed to spending any money. He kept the budget down and that was a very high priority for him.

Shortly after Jess became Speaker, we were given an allowance for district offices. I opened my district office and had a secretary and an administrative assistant in it. That was the beginning.

Since that time, there have been further increases. But before that, when you went home, you went home; there wasn't anything there. You went home and went to your house, you know, and that was it. There was no secretary, no staff, no nothing. If anybody wanted to call you, they could call you at the house.

Morris: That must have been kind of a curious sensation.

Mills: Well, it was all we knew.

Morris: At that point, it was still a part-time legislature, wasn't it?

Mills: It was supposed to be.

Morris: Yes. What about committee staff and legislators' own aides here in Sacramento? Was there an overall plan, or did this just sort of grow as the functions developed?

Mills: It grew slowly. It grew slowly.

One thing that happened was that when the district offices were opened, a good deal of business was developed. A lot of people came by. Prior to that time, there was no way for a constituent to see a member of the legislature unless they came to his house or unless he went to theirs. So when we opened district offices, that developed a lot of business. People started to come by to ask questions about legislation. They wanted appointments; the kind of thing that takes place now where they want to come in, they want to talk to the member of the legislature, tell the member what they think about proposed legislation, what's wrong with it, or what should be done. People come in all the time with complaints about the present state of the law. All of those thing that take place didn't take place then.

Morris: No constituent contact at all?

Mills: Well, we had a certain amount of constituent contact. You'd get a phone call from time to time, and a request to come and speak before a Lions' Club or a Kiwanis Club, something like that. But individual constituent contact, no.

Morris: No?

Mills: No.

Morris: That's interesting.

Mills: You saw people at meetings; that was all there was to it, really.

Morris: Do you feel you get a better sense of what people's concerns are when you have an office where people can come individually, rather than the kind of questions you used to get just at the Lions' Club and those kinds of meetings?

Mills: Oh, of course. Yes, very much so, very much so.

Morris: What was the relationship then with the legislative analyst's and the legislative counsel's offices? As the individual staff developed for the legislators, did it make any changes in how you worked with those pre-existing [offices]?

Mills: In those days, it didn't. In those days, things remained the same.

Morris: It has since, however?

Mills: Since that time there's been a little less dependence upon those two offices. Some people have developed staff; committee chairmen have developed staff that they depend upon for some of the same services that, in those days, were provided by the analyst's office.

There was a move on some time back by Willie Brown, when he was chairman of Ways and Means, to cut back the analyst's office and to have Ways and Means staff and the Senate Finance staff do a lot of work that the analyst's office does.

Morris: I take it that did not happen?

Mills: No, it did not happen. The senate resisted it

Morris: Why?

Mills: Because we felt the analyst has a degree of independence that committee staff could never have.

Morris: Let's see. When you became chairman of the Finance and Insurance Committee, did that also make you automatically a member of the Joint Budget Committee?

Mills: No, it didn't have anything to do with it. I became a member of the Joint Budget Committee as the result of appointment by the Speaker. I guess it was by the Speaker, either the Speaker or the Rules Committee.

Morris: One last question on the selection of Unruh as Speaker: Now, in this current debate there's been over the speakership, it sounds as if the Democrats, as the majority party, get to select the Speaker without reference to the Republican party. Was that the case when Unruh was elected?

Mills: No, no. The two candidates for Speaker competed as actively for Republican votes as for Democratic votes. Bee had done better than Jess for Republican votes. I think it was

Mills: because the Republicans saw it the same way we did, that Jess would be a stronger Speaker in terms of getting Democratic policy implemented into law.

Morris: And they preferred a less positive Speaker, if he was going to be a Democrat?

Mills: They preferred a less vigorous implementer of Democratic policy, yes.

Morris: [chuckles] Let's see. Today I thought I might stick to a line of questioning on the political things and then next time ask about some of the legislation as it developed.

Mills: Oh, is there going to be a next time?

Morris: I hope so.

Mills: How many times will there be?

Morris: I have a tentative appointment for two weeks from today for another hour.

Mills: Will that be the last one?

Morris: That will be the last one until we get funding for the Reagan segment of the project.

Mills: Okay.

Morris: That will be in another year or so.

Mills: I see.

Morris: If that meets with your approval.

##

#### New Legislators' Support Group

Morris: Last time you were describing the breakfast group. How long had you been meeting for breakfast?

Mills: A few weeks after I was sworn in, I was invited to go to that breakfast group. I went.

Morris: Was this an honor, to be invited as a freshman assemblyman to come and meet with these gentlemen?

Mills: I thought so. Everybody there but Myron Frew was a freshman in the 1959 class and then they added me out of the 1960 class. It was a group that met originally to protect each others' backs. They were freshmen and they didn't know what was going on and they decided they would meet and exchange information, try to educate each other, and they invited me in as a new member when I was elected. We were there to protect each other. If one of us was carrying a bill in committee, other members of the group would probably try to give a hand with the bill. It was a mutual protection association.

Morris: That's a good healthy thing to have. Among the nine of you, would you have had a member on practically every committee?

Mills: Yes, I think we probably did.

Morris: Would any of you, as first- or second-term assemblymen, have been on that group of major committees that you referred to last time--Rules, Ways and Means, and things like that?

Mills: Not at that time. But after Jess became Speaker, we did. John Williamson and I both became members of the Ways and Means Committee before the term was over, but we might have been anyway; I can't say. - I don't think it actually helped us, because Jess wasn't very happy about the existence of the Breakfast Club.

Morris: Why not?

Mills: Because it was a little group of Democrats acting as a group. He wasn't happy with that.

Morris: Once he became Speaker?

Mills: That's right. For obvious reasons. It isn't pleasant for a Speaker, who is the leader of the Democratic party, to have one substantial group of the Democrats who are going to act together on anything important.

Committee Assignments; Social Insurance Funding

Morris: Did he meet with you at all in the process of becoming Speaker and then making new assignments to things?

Mills: There weren't a lot of new assignments made when he became Speaker. He didn't make many changes. He waited for the term to end and the new term to begin.

Morris: Did he consult at all with you or any other people in the Breakfast Club when the new term began, as to what your preferences were for what assignments you would get?

Mills: He consulted with everybody. I don't think there was a member of the assembly that he didn't talk to. It was the custom in those days for the Speaker to give the individual members their assignments, in effect--have the individual member come in and talk to the Speaker. He would explain what he was doing and why. If you had strong objections, you could raise your objections. Normally, you would have a discussion before that to find out how you felt.

Morris: What your interests were.

Mills: You put in a list, though. You always put in a list saying, "These are my preferences: this committee first, this committee second, this committee third," and so forth.

Morris: And were those honored?

Mills: To the extent that they could be honored, for Democrats. For Republicans, they might be or they might not be. There were some Republicans that we could never expect anything but trouble from, and Jess didn't put himself out for those. But anybody who was a good, conscientious legislator and wasn't going to make trouble for trouble's sake--he'd accommodate them to the extent that he could.

Morris: Did the caucus meet at all on committee assignments?

Mills: No, we wouldn't meet on committee assignments. He'd also accommodate the Republicans who were big troublemakers, to the extent that it was convenient, but he just wouldn't put himself out. He'd have to find somebody to go on committees that nobody wants to go on and nobody would put in for them. He'd [chuckles] choose people to go on those committees that he didn't owe anything to.



Morris: Were there some committees that nobody wants to serve on, or wanted to serve on?

Mills: There are committees that people don't really want to serve on, yes. Industrial Relations is a committee that people really don't like to serve on. Democrats don't like to serve on it; Republicans like to serve on it. Republicans like to go on it and vote against all the measures that labor wants. Democrats generally don't like to serve on it because when they go on they either have to vote with labor or they're in trouble. Labor, like any other interest, can sometimes ask for more than it should have.

Morris: I see. I came across a reference to a disagreement that labor had with you on unemployment insurance in '61, I think it was.

Mills: '63.

Morris: Did that come before the Finance and Insurance Committee?

Mills: It was. All the social insurance programs came before the Finance and Insurance Committee.

Morris: How does the Finance and Insurance Committee differ from Ways and Means?

Mills: It differs totally. Ways and Means is the appropriations committee of the assembly. The Finance and Insurance Committee was the committee that dealt with legislation in the field of financial institutions and insurance companies, including social insurance programs. The workmen's compensation program, for example, and the unemployment insurance and disability insurance programs all came before Finance and Insurance.

Morris: Even though they're funded by public funding rather than [by] the Prudential Insurance Company or something?

Mills: Well, some of them are, and some of them aren't. In those days, there was still some private funding of disability insurance, and there was a great deal of private funding in workmen's compensation.

Morris: Okay. Do you remember what the issue was that you felt strongly enough about to disagree with the labor unions?

Mills: The labor unions had the support of Pat Brown for a package of benefit increases in the field of social insurance--

Mills: unemployment insurance, disability insurance, and workmen's compensation--all three. They would have broken the fund, and I kept the bills in committee, and labor was furious. Pat Brown and his people and the director of the Department of Employment said that there was money enough to cover the increases in the fund, but we--

Morris: Was that while John Carr was still director of [Employment]?

Mills: Al Tieburg was the director. The heat was on because the Governor said there was the money there, the director of the Department of Employment said there was the money there, labor wanted it, and labor had been important in supporting me. I tried to find out how much money was there and asked for independent judgments as to how much money was there. I listened to all of the unions. I tried to get the best information I could. I talked to the Analyst's office and so forth and came to the conclusion that there was not enough money in the fund for the increases, and that turned out to be true.

It turned out in the course of the following year that, with the changes, there would have been a bigger payout than we had money to pay out. It would have exhausted the fund and it would have gone into debt. You can't pay more than you've got. It simply would have exhausted the fund and that would have been the end of it. We would have had to increase contributions, I suppose, on an emergency basis.

That was the issue and I paid heavily for that. The labor movement in California was led by Tommy Pitts, and Tommy Pitts attacked me, sent out letters to every labor union in my district, told them not to contribute anything to my re-election campaign, and so forth. He did his best to make things as difficult for me as he could. That was real power politics. He was mad because he didn't get his bills.

I wanted to compromise and proposed a compromise and sent bills over to the senate which represented that compromise, which represented an increase in benefits on a smaller scale. The bill passed the assembly, passed out of the senate committee, went to the senate floor, and Randolph Collier, at the behest of Tommy Pitts, moved the bill back to the committee. It was sent back to committee with the understanding that that's what the labor movement wanted because they wanted to create as much heat as possible on me in the assembly. So they defeated the last bill, I think, that was ever proposed to the

Mills: California legislature that provided a substantial increase in benefits for working people in California without a substantial cutback in eligibility, because the bill did not have any substantial cutback in eligibility. The working people of California paid for that and have been paying for it ever since.

Morris: So you held the original bills in your committee?

Mills: Yes.

Morris: And then proposed other bills?

Mills: With more modest increases, that's right.

Morris: With more modest increases. [They] went through, but then Collier sent them back to committee and they were amended there by the senate committee?

Mills: No, they were killed. They were sent back to committee in the last couple of days of the session. It was after the deadline for committee action. That act, which was done at the behest of labor, killed the bills.

Morris: Then were other bills passed in another session that increased the benefit payments?

Mills: There have been bills passed since, but in every case that a bill has been passed since, there has been a substantial cutback in eligibility to go with the benefit payment increase.

#### Disputes with the Governor's Office

Morris: I'm interested that Pat Brown would propose bills which would run the funds out of money, since one of the stories that runs through those eight years is that there were beginning to be deficits and that the governor's office was concerned about finding more revenues to meet those deficits. Why would he propose legislation which would increase the likelihood of deficits?

Mills: I don't know. You might ask him. My recollection of it was that the bills that he had before us would have cost the Unemployment Insurance Fund about \$66 million, \$67 million. We figured the actual amount that we had to increase benefits was about \$37 million, and the bills that I carried over to the

Mills: senate, which reached the senate floor, had about \$35 million in them. So our estimates were very close.

Well, that was one of the reasons for the dispute between Pat Brown and Jess Unruh over providing staffing for the legislature, because what was done that time--I depended upon legislative staff, among others, to come up with the estimates, which turned out to be right. Two years before, we simply would have had to have used the administration figures. We wouldn't have had any way of questioning them, really.

Morris: The question of estimates came up again in '65. You and Hale Champion disagreed on the amount of money available, I believe, for the welfare program altogether, which related to a tax increase bill that the governor's office had proposed. At the last minute, Hale Champion said that the expenditures were going to be less, or he'd found an extra \$10 million in the budget somewhere.

Mills: That was how he spent his life. He found \$10 million here, and \$20 million there, and \$100 million here, and so forth. That's what Hale Champion did for all the years that he was director of the Department of Finance.

Morris: Finding money in the budget?

Mills: Finding money that nobody knew was there. We were all convinced that Hale Champion knew where there was a lot more money, you know, that he simply had identified cookie jars here and there, and perhaps had created them, and perhaps had put the cookie jar aside and put some money into it so he could get it out later. But he was always full of surprises like that for us. Hale Champion made a career of pulling money out of hats, until he apparently ran out in 1966 and there were no more hats, no more cookie jars.

Morris: [chuckles] All the state funds are recorded in some accounting somewhere, aren't they, to which the legislative analyst's office and the legislative staffs would also have access, wouldn't they?

Mills: Well, we began to find them, yes, with the passage of time. As we developed our staffs, we began to turn up a lot of these things. But at the beginning we didn't have any capacity to find them. They were hiding money and we didn't know where it was.

Morris: It sounds also like some of this might be a matter of honest differences in accounting techniques.

Mills: Sometimes. For example, when Hale Champion came up with the accrual accounting system to get us through the fiscal year, there was a lot of dispute about that, but he came up with it because it was a way of getting through the fiscal year. It probably was good policy.

Morris: But it only lasted for a year, am I right?

Mills: Well, it's lasted ever since, but the additional money that it produced was only produced in one year. But we can't go back, because it would cost us that much; it would cost us now what we got out of it when we went into it--actually, more now. That was a sort of cookie jar, that one.

Morris: Yes. [chuckles]

Mills: That was money that he knew was there, that was sitting there, that could be used at the time that they changed the method of accounting.

Morris: Which would cover that year's accounting shortfalls.

Mills: Yes. Hale Champion was a hand-to-mouth artist.

Morris: You say Hale Champion. He himself was not trained in financial things particularly. Who did he rely upon in the department for the technical matters of keeping track of--?

Mills: Well, he relied on the professionals there, but he knew how to ask the right questions, and he had an ingenious mind and undoubtedly still does, and tremendous ambition. I always thought that he wanted to be governor and I still think that.

Morris: If he did, he doesn't seem to remember it. He maintains he was serving Pat Brown and interested in other things.

I wondered if the fact that somebody who's been in the position that Champion was in California then becomes an officer in HEW, if that has an effect in later years then in the State of California's relations with programs funded by the federal government.

Mills: It's hard to say. An answer would be speculation at best.

Morris: Okay. Those contacts don't continue, or do they? Does it make it easier to deal with HEW since there's somebody there that--?

Mills: It's possible, it's possible. There are still people in the Department of Finance who worked with Hale Champion. Roy Bell worked for Hale Champion; he's still there.

#### Reapportionment, Election Trends, Constitutional Revision

Morris: Another question that we're particularly interested in is the reapportionment that took five years. Was that as complicated a matter for the assembly as it seems to have been for the senate?

Mills: Which reapportionment?

Morris: The 1960. It went to the courts and finally--

Mills: It took one year.

Morris: It took one year?

Mills: We reapportioned the state in 1961 and then we conducted the elections in 1962. Then, in 1965, the courts said that the California constitution was unconstitutional, so we did it again. The California constitution had said that no county could be divided in the creation of an assembly district, unless it was being divided into entire assembly districts, and it meant that Imperial County couldn't be joined with any other area. It couldn't be joined with any part of Riverside County, and it couldn't be joined with any part of San Diego County, and those are the only two counties that were adjacent, and therefore it had to have an entire assemblyman itself, and it had about seventy thousand people, so it had an entire assemblyman. Riverside County had at least four times that many people, perhaps five times, and it was one assembly district.

The court ruled that section of the constitution denied equal representation to the people in parts of California, so we had to do it again. That was simultaneously done with the senate reapportionment when the court ruled that the senate had to be on the basis of population.

Morris: You were on the Reapportionment Committee in '63, am I right?

Mills: No.

Morris: No? Okay. [looking through notes] Then is that the same as the redistricting?

Mills: I was on Finance and Insurance, chairman; I was on Constitutional Amendments; I was on Fish and Game; and I was on Ways and Means.

Morris: Was there some concern in 1965, when there was another redistricting, that the Democrats might lose control of the assembly?

Mills: No, and we didn't. We lost it two years later.

Morris: Was that really a matter of redistricting, or just of the political reality?

Mills: Oh, a number of trends. There was a trend running toward the Republicans year by year from 1958 till 1970, and then it started to run in the direction of the Democrats. Those things are a political reality that very few political scientists pay attention to. They run and they run regularly; it's a regular flow. It's an ebb and flow that takes place year in and year out and has been quite regular ever since the Civil War. It generally is about a twelve-year trend. The Republicans got their majority in 1968; it was a ten-year trend that time. Occasionally it varies by a couple of years, but generally it's twelves, where it goes from the highest vote for the Democrats to the highest vote for Republicans and back again. It's curious to me that there hasn't been more attention paid to that.

Morris: Regardless of the skills or efforts of campaigners and candidates?

Mills: Yes. It doesn't relate to individual offices. It's the total vote cast for one party or the other for legislative offices nationwide.

Morris: Okay. We'll keep an eye on that.

How much attention did you pay to the Constitutional Revision Commission that was also—?

Mills: I met with it regularly. I was the chairman of the Joint Rules Committee and, therefore, I was the one under whose

Mills: auspices it worked. I was the one who hired the staff and approved it and signed the checks and did all of those things. And I attended the meetings.

Morris: How was Bruce Sumner selected as chairman of that?

Mills: By general agreement. He was well-respected when he was a member of the legislature. When he ceased to be a member of the legislature, we thought that he would be a good man to do it. Generally speaking, the members of both houses agreed and we urged it upon the commission. It took very little urging.

Morris: So that in a sense they had some leeway in choosing their own chairman rather than the legislature saying, "Bruce Sumner should be chair."

Mills: I think they did, yes, the best I can recall.

Morris: A consensus.

Mills: But we all thought that Bruce would be good and mentioned to people who were members of the commission that we thought he would make a good chairman, and he did.

Morris: He certainly seems to have been devoted to the task.

Mills: Yes.

Morris: From the legislature's point of view, were there some particular things you wanted to see happen in that commission, or was the commission just turned loose with the job to come up with what they thought ought to happen?

Mills: No, there were some things that we wanted to see. We wanted to see simplification of the constitution. We wanted to see a lot of language removed from the constitution that had been put in there by any number of initiatives. We wanted to see an annual session of the legislature provided for. We wanted to have a different means of providing for the compensation of members of the legislature. [tape off briefly during telephone interruption]

You know, the members of the legislature generally agreed with the League of Women Voters on the subject of the California constitution. It had simply gotten to be unwieldy and huge, and we needed to get a lot of language out of it. We needed to modernize it and make it consistent and uniform. We had all



Mills: kinds of different usages in it. The language used in one part of the constitution would be totally different from the language in another part of the constitution.

Morris: Yes. Those things seem quite obvious. Therefore, it's curious that it took so long to actually get a constitutional revision going that was able to follow all the way through. There had been several attempts earlier. What had happened to make it possible this time around?

Mills: Oh, I think the constitution just had grown to where there were so many excrescences on it that people wanted to see them lopped off. Every election that went by, somebody added more to it, like now. You know, now the work of the Constitutional Revision Commission is being undone by the Howard Jarvises of the world who are adding to it and adding to it and adding to it.

Morris: Was that one of the issues that they addressed--what is it?--that you could have statutory initiatives rather than constitutional amendments?

Mills: We added that provision that the statutory initiative would not require so many signatures, in the hopes that people would use statutory initiatives instead of constitutional revisions, because at the time we adopted that it took the same number of signatures to put a statutory initiative on as it did a constitutional amendment. [Aide enters to announce media representatives have arrived for scheduled meeting.]

V SAN DIEGO DEVELOPMENT: STATE AND LOCAL CONCERNS  
[Interview 3: February 20, 1980]##

Un-American Activities Files; 1962 State Senate Campaign

Morris: I'd like to ask you a couple of questions about the San Diego end of things.

Mills: Okay.

Morris: We've got a couple of references to the Van Dieman files, which were a gathering of information about alleged subversives, that were uncovered in your area. Was this something that was brought to your attention and that's how it became an issue?

Mills: The Van Dieman files were set up by General Van Dieman, who was a retired general, and somehow he got into the intelligence business. I never understood just how. Apparently it was a part of a National Guard operation. He gathered all kinds of information and apparently was getting information from the federal authorities.

For example, I was in the files, and I was in the files because I was temporarily on the list of subscribers to the communist publication in California which I think was called--oh, I forget--the Weekly People, or something like that. That happened to me in January of 1960.

Just after it became clear I was going to be a candidate for the state legislature, I started to receive the publication, and I immediately wrote and asked them to take my name off the list. I thought they were sending it to me as a complimentary copy. I thought perhaps they were sending it to all candidates. They replied that, no, they wouldn't take my name off the list

Mills: because some "friend" had subscribed to it for me. I disputed with them for six months. Every month they'd send me another one, and every month I'd say, "I don't want to receive your paper," because I figured it was something that had been done by the Republicans. I figured some Republican had subscribed to it so that my name would be on the list of subscribers to that paper, and I was just generally distrustful about the whole thing.

Well, that's exactly what happened. They had my name in that file, it turned out. The Senate Un-American Activities Committee had access to those files and picked up some of that information. It was remarkable. They had the date I received the first publication and the date I received the last one. My name was in there: James R. Mills, member of the California state legislature, subscriber to--I think it was Weekly People--between such and such a date and such and such a date.

I thought that was amazing, that General Van Dieman, who was actually being a private citizen, doing those things, was being given that kind of information. It was astonishing to me that it was being gathered. Who was it who was gathering that information, and where? They must have had undercover agents on the staff of the paper, the FBI or the CIA, and then they were feeding this kind of material to General Van Dieman, who, toward the end, I think, was just kind of doing it because he thought it should be done, without any real authority from anyone.

The Van Dieman files became very important politically because they were kept in a National Guard safe. In 1962, when Hugo Fisher, who represented San Diego in the California state senate, was running for re-election, he had the files seized and it defeated him.

Morris: Defeated him?

Mills: Oh, yes. It defeated him, having the files seized. It was a terrible political error. At first he denied knowing anything about it when the files were seized; he said that he had no knowledge of it when the press contacted him. Subsequently, when they got back in touch and said they'd talked to the Highway Patrol, who had come to provide an escort for the people who had come to take the files away, and that they had been asked to do that by Senator Fisher's office, he said, "Well, yes, we did know about it, but the only reason we did it was that we were requested by the governor's office to get hold of the Highway Patrol and have them provide an escort." Then the governor's office initially denied knowing anything about it.

Mills: The way the San Diego Union handled it, they attacked Hugo for having the files seized and for telling a number of stories about his involvement which turned out not to be true; that is, denying involvement and denying knowledge and denying responsibility and so forth.

The general assumption was that Hugo had them seized because he was fearful that there might be something in them that would be damaging to him in the election, and that was what defeated him. His opponent, Jack Schrade, beat him to death with it, having the files taken, and generally the voters in San Diego County reacted to it. People were suspicious about why those files were seized.

It was generally felt that the Republicans had access to them. General Van Dieman was a Republican and it was felt that if they wanted the dirt on any Democrat and there was anything in those files, the files were accessible to the Republicans. So that was probably why Hugo Fisher had them seized. It was Hugo who was responsible and I think Hugo had been involved in a few left-wing organizations when he was young. Lots of people were, but apparently he was apprehensive about it.

In any case, I was told by a prominent Republican that Hugo Fisher really did them a great favor because there wasn't anything in the files on him [chuckles], which is, again, a clear indication that the Republicans had access to the files. They knew what was in there and they were apparently delighted when he had the files seized, because they knew there wasn't anything in there on him, but they figured that everyone would assume that he was having them seized because he was afraid that something in his past would be embarrassing to him.

So that elected Jack Schrade and defeated Hugo Fisher. The election was fairly close and that certainly accounted for more than enough votes to have changed the outcome of the election.

Morris: Was there any connection between the Van Dieman files and the state Senate Un-American Activities Committee, which was still functioning at that point?

Mills: Well, my understanding is that the Van Dieman files were available to the staff of the state senate committee.

Morris: And also to the federal investigating--?

Mills: Oh, yes. Yes, that's right. My understanding was that the material that the state Senate Committee on Un-American Activities had on me, they got from the Van Dieman files, and that was all it was, merely that I had received that newspaper for a period of five months.

Morris: Did the Van Dieman files and their confiscation have anything to do with the fact that the state committee finally was disbanded?

Mills: [pauses to think] I don't know. I don't know what became of the Van Dieman files finally. I think a fair number of them came into the hands of the state senate committee.

Morris: Right. And I think you took some action to--

Mills: Oh, we sealed them up..

Morris: When they came into the possession of the state committee.

Mills: No, no. They were in the hands of the Un-American Activities Committee of the senate until I became president pro tem. When I became president pro tem of the senate, we took the files of the Un-American Activities Committee and locked them up and said that no one would have access to them except those who received the permission of the Senate Rules Committee to look at them. So since that time we've had one or two requests from people who were doing studies of the work of the Un-American Activities Committee, and we granted the requests. But the situation that existed in the past where nobody who knew who had access to them is ended.

There was some pretty damaging material to people in there that should not be made available to the public in general; I should not say the public in general, but should not be made available to people. For example, there was a file card on one assemblyman saying that his secretary was sleeping with a man who had been connected with leftist activities in times past. That was one of the entries on one of the members. Then, in another case, there was a reference to a member of the assembly going with a woman who had in the past been connected with radical activities. Well, that's pretty personal stuff to be distributing in the way that it was distributed.

Those files were available, certainly, to the Republican high command in this state and I don't think that it's a coincidence that both of the assemblymen referred to were

Mills: Democrats. I also think that there was no question whatsoever about the loyalty of either one of them. They were both veterans of World War II, they were very loyal, decent people, and to have them in a file like that was pretty scandalous because that's all you had to say about someone in those days to damage them badly. All you had to say was, "Do you realize that Assemblyman X is the subject of a file of the Un-American Activities Committee of the state senate? He's somebody that they have to keep an eye on, or they have been keeping an eye on. They have a dossier on him." That was a very bad situation.

Morris: Your conclusion, then, is that the files were maintained more for political reasons than for reasons of loyalty?

Mills: No, I don't know whether they were or not. It was kind of a backyard operation, though, you know. Who was General Van Dieman to be dealing with questions of the national security? He was a retired general who had a position in the California National Guard. I don't think that the national guard should be given responsibility for defending the nation against foreign espionage; that's not the job of the national guard.

#### Establishing a Port District

Morris: How about San Diego and its tidelands? Was that an extensive economic interest, and was it a major change to shift them from state to local control?

Mills: Actually, they weren't shifted from state to local control. They were shifted from city to district control.

The tidelands bill was introduced by Hugo Fisher and me. Actually, it was the bill to create the port district, because in the past it hadn't been possible to develop the tidelands of the smaller cities on San Diego Bay. The need for additional marine terminals for wharfage and so forth couldn't be met because cities like National City and Chula Vista couldn't handle the costs of it. So the purpose of it was to put all of the bay under a new port district, so that the port district could develop the bay as a whole. The bill was opposed generally by the cities because they didn't want to lose control over their tidelands.

Morris: And the revenues therefrom.

Mills: And the revenues therefrom. That's right, although the revenues weren't very much at that time; the revenues were very modest.

Morris: Were the revenues enough to do the development of the port?

Mills: No, the revenues weren't enough at that time to do the development of the port.

Morris: The reference that I came across was that Jack Schrade was opposed to this. Was this before he was in the legislature?

Mills: He was in the assembly. This was done in 1962. Jack Schrade was running for state senate. Hugo Fisher was the incumbent. Hugo and I were the authors of the bill, so it was a Fisher bill, and Hugo hoped to use it to get himself re-elected, and Schrade was opposed to it.

Morris: And that was before or going on at the same time as the business about Fisher being in the [Van Dieman] files?

Mills: Yes. It [the bill] was something that helped Hugo a lot. The election was a close election. The chief thing going for Hugo was the port district bill. It was supported by the newspapers in San Diego and by public opinion.

Morris: Yes, it would sound like a good local development idea.

Were there the same concerns about leasing of the tidelands oils in the local district that apparently were raised by Ken Cory in regard to the State Lands Commission?

Mills: No, it didn't affect the unified port district in San Diego because there are no oil lands under its control.

Morris: I see. It's just the actual geography.

Mills: Just the tidelands. The biggest dispute related to Coronado because Coronado had the ownership of the tidelands in Coronado, and on those tidelands they had a large housing project, which had been a Navy housing project in World War II and was a real slum. But they were renting the apartments to people and they had a fair income from it, and the real dispute with Coronado was over that. The city didn't want to lose the tidelands because they didn't want to lose the rental income from those tenements.

Morris: Yes, I remember some of those.

Were you at all involved in some of the discussions over the State Lands Commission and the oil leases?

Mills: Not really, no, only as one member of the legislature. I had very little to do with it.

Planning and Transportation Needs; Federal Requirements

Morris: When we talked earlier, you said that one of your concerns in coming to the assembly was to develop the business base in San Diego. I wondered if your interest in transportation and regional planning for San Diego was related to your concern about developing the economic base. Which came first, transportation or planning?

Mills: Well, as far as planning is concerned, I don't think that that was directly related to improving the economy of the area. That was related to improving the future living conditions. As things were developing in San Diego, as they have developed, the growth has been relatively unplanned and hasn't been very pleasant, has not been appropriately placed.

Right now we're in our rainy season and people are dying because houses were built in the wrong places. Well, anybody with the brains God gave a goose would know that they couldn't build houses where they were building houses. But in San Diego and the rest of California, having a lot of money and being a developer was sufficient to cause city councilmen to think you must be a fine person and well-motivated, and therefore that you wouldn't do anything wrong. So the developers really were in control in San Diego County, and I was concerned about that because I saw a steady deterioration of the environment resulting.

As far as transportation is concerned, there is a relationship. Improved public transportation is a factor in businesses locating in one place or another. There have been a number of firms, for example, that have said that they decided to make their headquarters in San Francisco rather than Los Angeles or some other place because of public transportation being there.

But that wasn't my major reason for involving myself with public transportation. My chief concern was that the future looked rather bleak if we continued to do what we were doing, that I felt that we couldn't continue to depend upon the automobile, that the cost of motor vehicle fuel was



Mills: going to rise rapidly and we were going to become more and more dependent on foreign sources, and we should follow the examples of every other industrialized nation and develop better public transportation.

Morris: Was this something that the community was not willing to do itself without a legislative carrot, as it were?

Mills: Yes. There was no inclination, apparently, on the part of local government to commit any resources to improved public transportation, except in San Francisco.

Morris: Did you have to develop support in San Diego for the idea in order to get some bills through the legislature?

Mills: No, no. The legislation that I carried in 1971, which provided funds for public transportation by imposing a sales tax on motor vehicle fuel, passed and was signed into law because there was a great deal of support, from industry especially, for improved public transportation.

Morris: Support from industry? Which segments of industry?

Mills: There was broad support, retailers especially. Labor was in favor of it. Industry was in favor of it. I should say the bus drivers' unions were in favor of it; labor in general wasn't. Labor in general was not too pleased with it because it was a sales tax upon a commodity which was looked upon as a necessity.

Morris: If there was no support in San Diego for the idea, how did the planning process work? The first piece of the planning process, if I'm remembering correctly, was in relation to a regional transportation development plan for the San Diego area.

Mills: You're talking about the general state law that requires regional plans? Well, mostly, the initiative for all of that came from the federal government. The federal government imposed requirements for regional plans before federal funds had become available.

Morris: Were there problems with that in California?

Mills: I don't think so. It had never been done before. Regional plans were developed in response to federal requirements.

Morris: So that the availability of federal funding for such planning and related efforts was attractive enough so that people in local communities went ahead and developed the plans?

Mills: Yes. Also, the federal government mandated the creation of councils of governments. Councils of governments, once they were created and staffed, developed their own initiatives. They have pursued, as most bureaucracies will, an expansion of their own authority and influence, so they've been very active in developing and revising regional plans. That's where their power lies and they're very interested in exercising their powers.

Morris: Is there a potential area of conflict with existing bureaucracies, if you will, of state government?

Mills: Well, there's sometimes a conflict. The chief conflict is with local governments.

Morris: City and county.

Mills: Yes. And between the cities or counties and the council of governments.

In the case of San Diego, San Diego is such a large element that the City of San Diego has control of the council of governments. San Diego County has relatively modest representation on the board, and they're often in conflict with the council of governments.

In some other areas where there is no city that is predominant in the same way, the conflict takes a different form. It may be a conflict between various cities and the council of governments.

Morris: On something like a federal requirement that there be councils of governments, does the state legislature have contact at all with the local congressional delegation as to what that law will say?

Mills: No, no. I think, if it were up to the state, there would be no such requirement. The state legislature is close to the scene and the state legislature has very little regard for the councils of governments. Congress is far away and hasn't really been paying much attention, but there's practically no council of governments that's worth its salt in the opinion of members of the legislature.

Councils of government were supposed to develop regional plans, they were supposed to make hard decisions, and they haven't worked out that way. In order to preserve their influence, the staffs of the councils of governments work out

Mills: policies that have something in them for everyone. If every city gets its share, then the cities will be satisfied and there will be no trouble for the staffs. So, in order to preserve themselves and their positions, they simply cut up the money that's available for transportation purposes as though it were a pie and everybody's entitled to a certain amount, and everyone can do whatever he or she sees fit with it.

The same is true of other planning functions. They're supposed to exercise their influence and develop intelligent plans; they haven't done it. The planning since this requirement was put on local governments that everything had to go through a council of governments has been about the same as it was before. The institution changed slightly, but the result is the same. Prior to the requirement that everything had to pass through the council of governments, the cities did what they wanted; now they still do what they want, but now they do what they want because they agree that each one of them will do what they want.

In San Diego County, Escondido says to El Cajon, "If you'll go along with what I want, I'll go along with what you want." That's the most classical log-rolling operation in the world. \*

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\* See chapter VII for further discussion of public planning and transportation.

## VI POLITICS IN ACTION

Medi-Cal: Congress and the Legislature

Morris: [laughter] Was there a similar effect from increases in federal funds in the '60s in welfare and for medical assistance? Did it have a similar effect on the California program?

Mills: Not that I'm aware.

Morris: Was there any sense in the '60s, when the federal programs began to increase, that it would have a sizeable effect on California state government programs?

Mills: Would you say that again?

Morris: When the Medi-Cal program, for instance, began, my understanding is there was federal encouragement for such a program and some federal money. When California set up the first medical aid program on a statewide scale, did the state legislature have a sense of how this program might grow and what impact it might have on state finances?

Mills: The legislature did not have any knowledge of how it would grow. The legislature didn't know how big it was going to be, at the beginning. I think that there were misrepresentations made to the legislature. We were given to understand that it would be smaller from the first than it turned out to be, and there were a lot of hard feelings that flowed from that because of the lobbying efforts of Phil Burton. ## He was the big advocate in the assembly for this state getting into Medi-Cal and he said, "That bill is going to cost more money than anyone imagines."

Morris: [chuckles] He was pleased that it was going to cost more money?

- Mills: He was pleased that it was a gigantic bill that was going to do a tremendous amount for people, but he said the legislature would never have passed it if they'd had any knowledge of what it would cost, and I think that's true. He told me he thought he was the only member of the legislature who knew what the bill would cost. It's not that we hadn't been told, just that we hadn't been told the truth.
- Morris: And he was basing his bill on the fact that there was going to be federal back-up for it?
- Mills: Yes.
- Morris: Was the presumption that the federal government would continue to increase their support, so that the cost was not going to increase to the State of California?
- Mills: I'm not sure that we got that far with it. I think that probably was a presumption, but I'm not sure how many people thought about it. The problem was that right from the start it cost a tremendous amount more than anyone thought it was going to cost, except Phil Burton.
- Morris: [chuckles] He knew what it was going to cost and he still felt that it was worth doing?
- Mills: That's right. But he was in the soup with members of the legislature. He was a very unpopular person when we began to get the bill for what we'd done.
- Morris: So the legislature was just as happy to see him go to Congress?
- Mills: Oh, he was glad to go.
- Morris: Yes. Is there much contact between the California legislators and the congressmen?
- Mills: Not a great deal.
- Morris: I'm curious about that, when federal programs seem to develop into things that would have such a large effect on state administration and the budget that the legislature has to cope with.
- Mills: Well, we have maintained an office in Washington at various times; we have one there now. It's to try to improve liaison, to try to improve communications between the legislature and Congress.

Morris: Have you ever succeeded either at getting a bill introduced or getting a bill amended that you felt needed so doing?

Mills: Yes, we have.

Republican Election Victories; Initiative to Repeal Fair Housing

Morris: Heading back to San Diego, I wondered if you had had any acquaintance with Gaylord Parkinson, who later became chairman of the Republican State Central Committee.

Mills: Yes.

Morris: Did you find him somebody who was developing the same kinds of ideas that the Democrats were for strengthening the party?

Mills: No, he wasn't developing ideas like the Democrats were for strengthening the party. He was developing, probably, better ideas for strengthening the party. Gaylord Parkinson was the father of the eleventh commandment, which was, "Thou shalt not speak ill of any Republican," which caused the Republican nominees to go into general elections without the battle scars that had been common in the past.

Then he was the chief architect of the California Plan. The California Plan was a plan to take over the control of the legislature by concentrating the efforts of the Republicans on the most vulnerable Democrats, and they were very successful under Gaylord Parkinson. They picked off one Democrat after another. The plan was to look at registration, look at party loyalty in the various districts, look at the popularity of the candidates, and select one or two or three targets each election. They succeeded in picking up one seat after another, until they got all the easy ones, and then one year I was number one on that Cal Plan.

In 1970 they decided that I was the most vulnerable Democrat and they'd concentrate on me. Number two was Senator Stiern that year. I predicted, when they announced that the two of us were numbers one and two, that the Cal Plan had accomplished all that it was going to accomplish, that it was going to break on two rocks, Walter Stiern and Jim Mills, and it did. We not only won, but we both won overwhelmingly, and that was the end of the Cal Plan. They never got back

Mills: onto it because they'd picked up all the easy seats, but they probably wouldn't have picked up those seats if they hadn't followed that plan.

He [Parkinson] is a very bright guy. He's very intelligent, very energetic, very charming, very pleasant. I think he got the most out of people and he got a tremendous amount out of everyone who worked with him.

Morris: Republicans that we've talked to say that they developed the Cal Plan because they felt that the Democrats had such a tight organization through the legislative campaign committees that they were meeting the same people in every campaign, that the plan was an answer to Mr. Unruh's effectiveness in advising and assisting legislators in getting elected.

Mills: Well, it was better than what we were doing. It gave them control of the assembly and the senate temporarily, for two years, which is remarkable when you consider that the Republican party is becoming a minority party and it's becoming a smaller and smaller minority because of the policies that it espouses. The Republican party, during the Reagan years, was creeping further and further to the right in California and leaving the middle of the road more and more to the Democratic party.

Morris: You mentioned briefly that you campaigned on the Rumford Act, which would be going back to 1964, and I wondered if you were active in the efforts to pass the Rumford Act before '64 and if there was any effort to avoid that going to an initiative.

Mills: I was active in helping them pass it. I wasn't as active as some. Jess Unruh was more active. It was a hard fight to get it through the senate. The senate really didn't want to pass it.

Morris: Why not?

Mills: The members were against it. The senate was quite a conservative house. It was still a rural house and it was responding to the real estate lobby, which was violently opposed; everyone in the senate had realtors, but lots of the senators didn't have any substantial minority population at all. Before reapportionment, the bulk of the membership of the senate came from rural northern California counties where there was no black population.

Mills: It took a lot of leverage and a lot of pressure to get the bill out. That was the first time we ever had demonstrations in the capitol, as far as I can recall. They had demonstrators come in and they were sitting in the halls, sitting around and staying. It was very disturbing.

I actively opposed the proposal to repeal it, Proposition 14, and, of course, it carried. There was nothing that anyone could do to keep it off the ballot. Once they started to circulate it, there was no stopping it. The realtors were largely behind it, and they were so determined that nothing could have turned them away. When I appeared at campaign events, I was booed by realtors. I appeared before the San Diego Realtors Association, and they introduced me, and [chuckles] there was general widespread booing. They were really terribly upset by it.

Morris: Did it affect the size of the vote for you? You were running for re-election that year.

Mills: It probably cost me some votes. I won by, I think, about two to one that year. But my opponent was not an active opponent. He shouldn't have gotten that many votes.

Morris: In November?

Mills: That's right.

Morris: He shouldn't have gotten--?

Mills: He shouldn't have gotten a third of the vote, no.

Morris: Did you make any special efforts in the minority parts of your district, either for registration or--?

Mills: Yes, we tried to register people in the minority areas. That was the year that Lyndon Johnson was running and we had a pretty good registration effort. But we always go into minority areas; Democrats always go into minority areas to register.

Morris: Would the opposition of the real estate organizations have caused some minorities and others to register in order to support fair housing who might not otherwise have been active politically?

Mills: Oh, I think that had that effect. I think it was some benefit to Democrats, although that wasn't a good year for us. We lost some legislative seats that year.



Morris: Well, that was the year Barry Goldwater was running for president.

Mills: That's right.

Morris: Did that have a coat-tail effect here in California?

Mills: Not much. We lost some seats that year. We lost some Democratic seats. I was asked about the great Democratic victory the night of the election, and I said that all we needed was a few more great Democratic victories like this and the Republicans would be reapportioning the state legislature.

Morris: [laughter] Okay.

#### Rules Committee Chairmanship, 1965

Morris: The next year, you became chairman of the Rules Committee, and I came across a reference to the fact that one is elected chairman of the Rules Committee.

Mills: I don't think so.

Morris: No? Well, I wanted to check that out with you.

Mills: The members of the Rules Committee are elected. I think the chairman was and is appointed.

Morris: Is appointed. By the Speaker?

Mills: By the Speaker. I believe so.

Morris: And who elects you to the Rules Committee? The Democratic caucus?

Mills: No. The caucus nominated and the floor elected in the assembly. I'm not positive of how it was done, whether I was elected or appointed by the Speaker; I don't remember.

Morris: As chair?

Mills: That's right.

Morris: Okay. But you were elected to the committee?

Mills: Before that, yes.

Morris: Is this something that one campaigns for amongst one's colleagues?

Mills: No.

Morris: So it's a single ballot, as it were?

Mills: Yes, or nearly. You go along with the leadership; whatever is understood is understood. I just passed the word, who I wanted. I remember the election of the Rules Committee that year where we had to elect two new members, two new Democrats, and I chose Joe Gonsalves and Leo Ryan. The Speaker said, "Who do you want on the Rules Committee to fill the two vacancies?" I told him who I wanted, and he said, "Okay."

The word was passed to the Democratic caucus, "This is what Mr. Unruh and Mr. Mills want in the Rules Committee," and so everybody said, "Fine." There wasn't any question about it. Nobody said, "No, I think we ought to have somebody else instead."

Morris: Well, that must be a pleasant state to arrive at, where your word is taken as the thing that should be done.

Mills: There was a great deal of faith in the leadership of the assembly by the assemblymen. The average Democratic assemblyman felt that Jess Unruh deserved the support of the members.

Morris: When you arrive at a leadership position like that, does it change your view of the assembly and its work in the legislative process?

Mills: Yes. Yes, it does. You start to understand what's going on, if you don't beforehand. You know, a lot of it just doesn't fall together. It's not until you're a part of the leadership and involved in the discussions that you really come to understand all of what's taking place--all the negotiations and so forth that go into producing a bill, accommodations that have to be made when you're working, perhaps, in the senate, trying to get a bill like the Rumford Act out. It's a mysterious business to anyone who isn't involved, to anyone who doesn't know what actually has gone into the drafting of the bill.

Morris: And the relationship between bills, between the legislative program and the governor's program, and that sort of consideration too?

Mills: Yes. Often there's a great deal of conflict with the governor and attempts to resolve legislative questions would involve long discussions with Pat Brown and Hale Champion.

Tax Reform Efforts

- Morris: Yes. Pat Brown's budget messages all the way through talk about his concern about state revenues and the cost of state government, and I wondered if the legislature shared his concern and felt that costs needed to be controlled and/or more revenues found.
- Mills: Yes, I think so. The legislature was a little more liberal than Pat on some of those things, a little more conservative on others.
- Morris: How about the tax reform, which seems to be a chronic concern? It's unclear whether that's related to increasing state revenues or the persistent citizen complaint that there are too many taxes.
- Mills: The biggest efforts to achieve some tax reform were undertaken by Nick Petris, who was then the chairman of Rev and Tax [Revenue and Taxation] Committee, and we had a number of major reforms that we attempted, but we never got very far with them. We'd get them out of the assembly, some of them, after great effort. We were attempting to shift from the property tax to the income tax, a greater amount of the burden from the property tax to the income tax, and we ran into a lot of static and a lot of resistance.
- Morris: From where?
- Mills: People who didn't want to pay higher income taxes.
- Morris: Well, there was an early effort to--
- Mills: A conservative effort. You know, the conservative position was in opposition.
- Morris: There was an effort too to do some countywide equalization of school taxes.
- Mills: Yes. That failed due to the opposition of people like George Miller in the senate. George Miller represented a peculiar district. He represented Contra Costa County, and in Contra Costa County the richest school districts were the ones that had the poorest people in them. Antioch and Pittsburg, where they had a tax roll that included utilities' generating plants, would have lost money under it. The areas that would have gained money would have been areas like Lafayette, so that--

Morris: That was in a different school district?

Mills: Yes, so that in George Miller's district, the result of countywide equalization would have been to decrease the amount of money for the education of poor kids and to increase the amount of money available for the education of rich kids, which caused George to be bitterly opposed.

Morris: That's an awful spot to be in.

Mills: Yes. And George had other reasons for opposing it too. So nothing ever got by him. George said that he'd be willing to go for statewide equalization, but nothing less than that, so that was the end of it. Pat Brown attempted to deal with that problem and basically failed because of that kind of opposition.

Morris: Yes. This is very hypothetical, but if those efforts had succeeded, would have it forestalled the Serrano-Priest decision, which has caused some concern in later years?

Mills: I don't know if it would have forestalled the Serrano-Priest\* decision. It would have diminished the differential between districts. As it was, some districts had hundreds of times as much in the way of assessed valuation per child as other districts. It would have reduced the ratio to four-to-one, if I remember correctly. It would have been a great improvement, and we may still have to do something like that. Maybe all we can do to respond to Serrano versus Priest is to create a statewide district, something like that, although property taxes are no longer so important in the financing of schools as they were in those days.

Morris: Because of increases in state--?

Mills: Because of Proposition 13.\*

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\* Court decision of mid-1970s requiring that school aid be equalized between wealthy and poor districts; that each child in California public schools receive equal financial support.

\* 1978 initiative ballot measure, passage of which sharply limited local property tax revenues.

Election to the Senate; Effect of Reapportionment

Morris: I think I will skip a couple questions and ask you about the 1966 election. What made you decide to run for the senate?

Mills: The chief reason that I decided to run for the senate was that I couldn't get support lined up for the incumbent. The incumbent was a man named Aaron Quick, and [due to reapportionment] I was drawn into a district with Aaron Quick, who was a nice old gentleman, and I wanted to help him get re-elected. I was happy in the assembly as the chairman of the Rules Committee and didn't desire to come over to the senate that much, although I wanted to eventually. But I couldn't line up any support from Aaron. Aaron was from Imperial County.

Morris: You were both in the same assembly district?

Morris: Both in the same senate district. With reapportionment, he was drawn into a district that included part of San Diego County and eighty percent of the population was in San Diego County; twenty percent was in Imperial County. When I talked to Democrats in San Diego County to try to encourage them to support Aaron Quick, they refused to do it, and the standard response I got was, "Jim, if you're not running, tell us, because we're going to have a San Diegan represent this district. We're not going to have an Imperial County person representing a district that's eighty percent San Diego."

Some candidates came out of the woodwork. Various people decided they were going to run if I didn't and began to circulate around to say, "If Jim Mills doesn't run, I plan to run." It seemed apparent that Aaron was going to lose to somebody, and I decided that there was no point in my standing aside to let somebody else take the seat, because I was going to want it in time. I figured that eventually I was going to want to come to the senate.

Also, Hugo Fisher was among those who wanted to run, and my relationships with Hugo had been so bad that I just didn't want to see him come back and take that seat, I didn't want to be back in a position of having to work with someone that I'd never been able to work with.

Morris: Brown had appointed him administrator of the Resources Agency, hadn't he?

Mills: Yes, that's right, he had. He was very difficult for me to work with, or I was very difficult for him to work with, one way or the other. Just somehow we never were able to work in harmony, and the most important consideration in my deciding to run for the state senate was when I heard that Hugo Fisher was planning to run if I didn't. I figured that I just couldn't live with that.

Morris: Did you pre-empt his candidacy?

Mills: Yes. Nobody was going to be able to keep me from getting the Democratic nomination at that time. I had been representing the Seventy-ninth District and had been running strongly in the Seventy-ninth District, and the Seventy-ninth District represented fifty percent of the new senate district, and a little bit more, so there wasn't anyone who could have defeated me for that nomination.

Morris: Did you talk to Hugo before you declared?

Mills: No, I didn't. The last thing that Hugo and I had to do with each other, I had been asked--this is something I already discussed with you. I had been asked to accept the chairmanship of the county committee, and Pat Brown had called up members of the county committee and asked them to vote against me, and Hugo was involved in it. Hugo came and presided over the meeting. He was chosen to preside over the meeting and he was there to do me in, and did. There was nothing for Hugo Fisher and me to discuss.

Morris: I can understand that feeling.

I wondered if there was some sort of a plan in the assembly caucus to move people from the senior members of the assembly over to the senate, since there were so many newly-designed senate seats that year.

Mills: No, there was no plan.

Morris: I think it was ten of you, or seventeen, or some giant number, who moved to the senate in that '66 election.

Mills: I don't know how many it was, and it may have been seventeen.

Morris: Was it a different kind of a campaign running for the senate rather than for the assembly?

Mills: Yes, it was a much bigger campaign. I wasn't able to do the same kind of door-to-door work. Running for the assembly, I'd gone door to door, ringing doorbells and talking to people. The senate district was too big to do that in.

Morris: So you relied more on media?

Mills: Media and mail. I had a better-financed campaign than Aaron did in the primary.

Morris: Did you use a professional campaign firm?

Mills: I've never used a professional campaign firm.

Morris: That's a distinction in this day and age, isn't it! [laughter]

Mills: They cost too much. I'd rather spend the money on the campaign, rather than spending it on campaign firms. The only professionals I used were the advertising people. I call them up, have them come in, and tell them I want some billboards and I want some television spots, and so forth.

Morris: Have you continued to use billboards?

Mills: Yes, I normally use billboards.

Morris: I liked your description of using billboards in your first campaign to get some name recognition.

Mills: Well, in those days, we didn't have any money for radio and television or anything like that. You just did whatever was cheapest, and billboards were cheapest.

Morris: Did the '66 campaign for your senate district involve any coordination with other candidates for the senate or statewide campaigns at all that year?

Mills: Well, we tried to cooperate with everybody. We always had cooperative precinct effort, where I would take a part of the district and be responsible for it, and the congressman would take a part of the district and be responsible for it, and the two assembly candidates would take parts of the district and be responsible for them, so that we'd cover the whole district. We'd try to get some help from the statewide campaigns and so forth. That broke down when Jerry Brown ran for governor. Jerry wouldn't do anything for anybody. He figured he wasn't going to spend any money on the precinct work; he'd spend all the money for himself. He never cooperated.

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1966 Gubernatorial Campaign; Constitutional Revision

Morris: In the '66 campaign, did you work at all in coordinating with Pat Brown's campaign?

Mills: Oh, yes. Yes, we coordinated with his campaign. We kept them in touch with what we were doing and cooperated, and cooperated on mailers and that kind of thing. I campaigned with him; I appeared with him, introduced him, and walked around busy places with him, introducing him and identifying myself, introducing people to him. I didn't have any hesitation. The question of Pat Brown or Ronald Reagan for governor, which one I wanted, was not one that I had to agonize over.

Morris: Did you have a sense during the campaign that Pat was going to lose the election?

Mills: I sure did. We all thought he was going to lose.

Morris: From how far back?

Mills: Oh, right after the nomination, I think. All of us were worried about it. We all thought that Reagan would be a good candidate. I was involved in a discussion in the Governor's Mansion with Pat Brown and Jerry Waldie and Jess Unruh and Bob Crown and one or two others, where Pat was saying in the spring that he wanted to do all he could to make sure that Ronald Reagan was nominated because he didn't think people would vote for an actor for governor, and that he thought that George Christopher was a real threat because George Christopher was a man with a record as an administrator that he could point to with pride. Pat felt that the people of California were much too conservative in their approach to government to elect someone as governor of California who had never held any public office in his life. We told him that we thought he was making a very grave error, that we thought Ronald Reagan would be a tremendous candidate and would be very hard for him to handle and would probably win.

Morris: What did you base that feeling on? Watching Reagan's primary campaign?



Mills: Yes, watching his primary campaign, watching how smooth he was, watching how much he understood the use of the media, how to use television, how he understood the temper of the people. His attacks on the university students and so forth were very appealing to people. His statements that he was going to lower taxes sounded good. People believed in him.

Pat Brown said if he were re-elected, it would be necessary to raise taxes. Ronald Reagan said that if people wanted to vote for someone who was going to raise taxes, they should vote for Pat Brown, but he wasn't going to do it. Of course, after he was elected, he was responsible for the biggest tax increase in the history of California. That's what you expect of an amateur. What people generally don't understand is that the professional politician is much more truthful than the amateur in politics. The amateur gets into politics thinking that the way of life is to lie and therefore he does it. The professional doesn't have that perspective.

So Reagan went all through that campaign saying he was going to cut government by ten percent, every department was going to be cut by ten percent, and so forth; taxes were not going to go up. All of his campaign promises were forgotten as soon as he was elected.

Morris: Did you campaign statewide at all on the constitutional\* revision item on the ballot, or work on a steering committee for that, since you'd introduced the amendment?

Mills: Yes, I campaigned some on it, although Jess Unruh was the one who did the most to get it adopted. He made contacts with the leading people in the state of California--the opinion-makers, the newspaper publishers, television station managers, and so forth.

Morris: That seems like a pretty major campaign for deleting sections of the constitution and tidying it up. Were the changes seen as that major?

Mills: Yes, the changes were seen as that major. They provided for the annual sessions of the legislature. The important thing to members of the legislature was the change in salaries. At that time, we were making \$6,000 a year. That changed it to \$16,000, which seemed like a lot of money, and it was then. It

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\* Proposition 1A on the November 8, 1966 ballot.

Mills: provided for a five-percent pay increase that we could vote for ourselves, five percent a year, which seemed quite reasonable. Of course, it turned out not to be, but it sounded good at the time.

Morris: [chuckles] What was the public reaction? What kind of questions was the public concerned with?

Mills: The public only talked about the pay increase. I don't remember any other discussion.

Morris: And we voted for it anyhow, thinking you guys were doing a good job.

Mills: Yes. And it turned out well. For California, it turned out well. California has had an honest legislature. The press makes us out to be dishonest, the press makes us out to be a bunch of clods and klutzes and so forth, but that's to sell newspapers. They like to do that. They're perfectly willing to destroy the institutions of the United States if they think it will sell a few newspapers.

But the California legislature, when the pay was low, was looked upon as one of the worst in the United States, one of the most corrupt. After the pay became reasonable, they became as clean as any legislature, as free of corruption as any legislature, and just the last two and a half years have proved it because the FBI has been around here investigating and investigating and investigating. They were sure they were going to come out here and find a bunch of corrupt politicians and put them all in jail and gain great credit for themselves, because that's how they operate, and they haven't found anything on anybody after two and a half years of full-time work by a number of operatives. They haven't found a thing.

All they did was destroy one member of the state senate by saying that he was being investigated. They leaked that to the press and that caused his defeat. Subsequently they announced they didn't have anything on him; that was after he had been defeated. That was the only effect of the investigation. So the effect was a very beneficial one.

Morris: When you say that there was corruption before that constitutional revision, are you referring to the concern there used to be about lobbyists?

Mills: Yes. Yes, the place was run by lobbyists in the '50s.

Morris: There were several attempts to regulate lobbying in the '40s and '50s. You felt they were never effective?

Mills: No, no. We had two former speakers indicted; one went to prison. A number of members went to prison, a number of members of the third house went to prison, and I think they only scratched the surface.

I'm going to have to see what that phone call is about.  
[phone light blinking; time for legislative meeting  
scheduled for Senator Mills' office.]

Morris: Right. Thank you.

VII STATE SENATE ORGANIZATION, ETHICS, AND SOME PROGRAMS  
[Interview IV: June 10, 1981] ##

Additional Thoughts on the 1966 Election

Morris: On the list I sent you of things that I'd like to ask you about was, to start with, your decision to move from the assembly to the senate.

Mills: Well, what about it?

Morris: How did you happen to decide to run for the senate? Were there some thoughts in the assembly that some of you wanted to see some changes in the senate and therefore should run for that house?

Mills: No. But I didn't plan to run for the senate and didn't intend to run for the senate in 1966.

The reapportionment created a new district which had been drawn for Aaron Quick, who was the Democratic state senator from Imperial County, and it included all of Imperial County and a good deal of San Diego County, including my home. I wanted to support Aaron Quick and attempted to put together some support for him in San Diego County without success. The answer I got from people was that they felt that the senator should be from San Diego County since 80 percent of the district population was in San Diego County, and generally San Diego Democrats said they wouldn't support him. Then the San Diego papers stepped in, and the Evening Tribune said that they felt that the senator from the new district should be someone from San Diego.

The reaction that I was getting was: "If you're not running for senate, Jim, tell us, because if you don't we're going to find another Democrat from San Diego County

Mills: to run." So I was put in a position of either running and running against my friend Aaron Quick and becoming a member of the state senate that way, or letting somebody else do it. So I ran against Aaron Quick, and I defeated him in the primary and then won the general election, but I had not intended to run initially.

Morris: I see. Did you and Mr. Quick continue to be friends after this kind of challenge?

Mills: No, we did not continue to be friends. He was very angry about it, and his wife was even more angry.

Morris: But the strength of the party was such in San Diego County that you were able to put together a successful campaign.

Mills: Eighty percent of the population of the district was from San Diego County. So I carried San Diego County by a very substantial margin, and that decided the primary election.

Morris: That's the year the Mr. [Ronald] Reagan won the governor's seat, too.

Mills: Yes.

Morris: Did that have any impact on your campaign? San Diego was strong territory for Reagan, wasn't it?

Mills: I don't know if that had any adverse effect on my campaign. I couldn't say. It's difficult to know how I would have run otherwise. I won with a good majority; maybe it would have been bigger if I'd been running with a Democratic nominee for governor who was more popular. Certainly Pat Brown was not popular in 1966.

Morris: Did he have more problems in San Diego, perhaps, than in other parts of the state?

Mills: All Democrats have more problems in San Diego County and Orange County than they do in any other part of the state.

Morris: [chuckles] Then to what do you attribute your success in this area?

Mills: I had a good campaign, and I'd been in office as an assemblyman for six years. People knew what to expect of me. I think the voters are always a little anxious about electing someone who

- Mills: hasn't held office. I think that's what the incumbent's advantage is. You hear a lot about how incumbents are likely to be re-elected. The reason they're likely to be re-elected is that the voters have a feeling as to how they'll represent their constituents. Someone who isn't an incumbent, someone who hasn't held office, can make a lot of promises, but there's no way to know how he will do until he's been elected.
- Morris: Did you find it noticeably different campaigning for the senate rather than for the assembly?
- Mills: It's a much larger district; it's twice as big, the senate district, though it was somewhat different. It wasn't possible to do as much personal campaigning. I couldn't affect the outcome of the election by ringing doorbells to the extent that I could affect the outcome of my re-election campaigns for the assembly by seeing people. The constituency was too big to see a very large percentage.
- Morris: So what did you use instead of personal appearance contact?
- Mills: I used a good deal of media and mail. That is, media; I mean electronic media. I didn't buy newspaper ads except just, you know, modest newspaper ads to mollify the people who put out newspapers.
- Morris: Right. But that's a strategic concern, isn't it?
- Mills: The ads in the newspapers were taken out for the sake of my relationships with newspaper publishers.
- Morris: Yes. Did the press by and large support you for the new senate seat?
- Mills: I don't think that the Copley press has ever supported me. I mean, I don't think either the Union or the Tribune ever supported me in twenty and more years in the legislature. I am a Democrat. They occasionally will support a Democrat simply to show that they are not a totally partisan operation, but I was not ever so favored. [dryly]
- Morris: [chuckles] Did you use polls at all, opinion polls, to determine what the issues in your area were or where you might better spend your time and effort?

Mills: I didn't use any opinion polls to determine what the issues were.

Morris: Because you thought it wasn't needed or--?

Mills: I thought the money would be better spent on advertising.

Morris: That's interesting because the polling seems to have become a standard part of campaigning in California.

Mills: Polling has become a standard part of campaigning, and I've used them since, but I didn't at that time.

Morris: I see. When you went into the senate, that was the year that all forty seats were up for election because of the earlier reapportionment?

Mills: Yes.

#### Move to the Senate

Morris: Did the fact that there was that much shifting around in the election campaign make any difference in how the senate was organized or how it set about its work?

Mills: What was different was that over half of the old senate was gone, and the traditions of the old senate disappeared with those members. The senate had been a very close-knit operation, and the people who were elected to the senate, the new members, generally didn't agree with the manner in which the senate had been operated.

The members who came over from the assembly wanted substantial changes. They didn't approve of the "old boy" operations of the senate. They didn't like the idea that the senate was organized on the basis of a feudal [pauses, searching for appropriate word]--a set of feudal baronies, where Senator [Hugh] Burns could decide whatever bills would come out of the Government Efficiency Committee, Senator [George] Miller would decide what bills would get out of Finance, Senator [Randolph] Collier could decide what bills would get out of Transportation Committee, and so on down the line. The members of the assembly were used to a democratic operation where the members of the committees made those decisions. They objected highly to that and ultimately overthrew that operation when they elected me president pro tem.

Mills: There were other problems too, and one was that the senate had very little staff in those days, and the members of the assembly were used to having adequate staff.

Morris: Had Hugh Burns not wanted to build up a substantial staff?

Mills: He did not want to increase the staff. He referred to field representatives as "runners." He said, "I don't need any runners, and I don't want any runners, and I don't see why anybody else should have any runners!"

Morris: That's field staff in the sense of people in your district office?

Mills: That's correct.

Morris: How did he feel about research consultants and--?

Mills: Generally he didn't like the idea of research consultants; he didn't like the idea of consultant staff being expanded. He was willing to have each committee have a consultant, and he thought that was quite adequate, and people around him felt that that was adequate. The lobbyists thought it was adequate and more than adequate. They didn't want a lot of people around here doing a lot of research so that the senate would have independent sources of information. It seemed preferable to them to have the senate dependent upon the third house for information.

The third house was a large part of that operation. Very commonly, in the course of a day, if you went to see Hugh Burns, he'd be up there with a couple of lobbyists in the pro tem's office, and they'd each have a glass. They'd be sitting there having a little drink and talking about things, and if you wanted to talk to him you were very likely to have to talk to him in the presence of the lobbyists.

Morris: That's rather startling from this perspective.

Mills: It is, but that often happened.

Tony Beilenson told about one time when he wanted to talk to Burns about assigning a bill. There were two lobbyists there. Tony went in and said, "I want to talk to you about the reference of a bill," and Hugh said, "Well, what do you want to tell me?" with the lobbyists there. Tony said, "I think it should go to such-and-such a committee," and Hugh said to the two lobbyists, "What do you think?" They said, "It sounds all right."



- Morris: Hugh asked the lobbyists what committee it should go to?
- Mills: Yes, that's my recollection of Tony's story. And Hugh said, "Okay, we'll send it where you want it to go."
- Morris: So did you new folks in the senate get together at all to discuss how you thought things ought to be and how you might go about achieving that?
- Mills: Yes, a group of us that met for breakfast.
- Morris: Yes. This was the breakfast group you had been part of in the assembly?
- Mills: Some of the same people.
- Morris: And that also moved over to the senate when you did?
- Mills: Some of the same people, yes. Tom Carrell, for example, was a member of the breakfast club on both sides. I was a member of the breakfast club on both sides. George Danielson was a member of the breakfast club on the senate side; I don't remember if he was on the assembly. Mervin Dymally. The people who were members of that club generally were former members of the assembly.
- Morris: And how did you go about making some changes in the senate?
- Mills: Well, we pushed for additional staff, and eventually Hugh gave way and did agree to some additional staff in the districts.

#### Leadership Changes, 1969 and 1981

- Mills: I began to raise hell about the situation when the Republicans got a majority in the senate. When the Republicans got twenty-one in the beginning of 1969, Howard Way became a candidate for president pro tem, but Hugh Burns remained president pro tem with the support of Ronald Reagan.
- Morris: [surprisedly] Did he?
- Mills: He did. Ronald Reagan supported him because he was getting what he wanted pretty well from Hugh Burns, he had no complaints about Hugh Burns, and he wanted to have Hugh Burns

Mills: with him. If he had urged Republicans to vote for Howard Way, then he might have offended Hugh Burns, and as it stood he had twenty-one Republicans willing to go along with most of the things he wanted, but he also had Hugh Burns and a couple of Democrats who were closely allied with Hugh Burns, so that added to the twenty-one. As long as Hugh Burns was willing to be cooperative as pro tem, Ronald Reagan was more than willing to have him remain as pro tem. So Reagan did nothing--I don't know if I should say he tried to keep him, but he certainly didn't do anything to get rid of him.

Eventually we put together a coalition and elected Way. We were right close to it. They were generally people who wanted to improve the capacity of the senate, and they also wanted to diminish the improper influence of special interests on the decisions being made in the senate. We thought we had a majority, but we weren't sure. Hugh Burns finally decided that he was sure he had a majority, and so he called the meeting on the subject and put the question to a vote and lost.

Morris: This was a meeting of the whole senate?

Mills: It was a caucus of the senate. He lost by one vote. George Moscone voted with Burns because he was convinced that Burns had the votes. He told me that if he had believed that Burns didn't have the votes, then he would have voted against him, but he was sure that Burns had the votes, and therefore he was going to stay with Burns because he didn't want to be on the outs with the side that had the power. There were too many good things that could be accomplished if he could maintain some influence with the senate, and he wasn't going to jeopardize that. So he voted for Burns.

Morris: This is in the vote that Burns lost by one vote?

Mills: That's in the vote that Burns lost by one vote. Then subsequently--

Morris: Who didn't stay with Burns that Burns thought he had? Moscone was a Democrat and he stayed with Burns. Did somebody else drop out?

Mills: He lost a couple of votes that he thought he had. I think I know who they are, but that's only suspicion.

Morris: Republican or Democrat?

Mills: Democrats who were pledged both ways.

Morris: [laughter] Oh! So somebody was bound to have a miscount.

Mills: That's right.

Morris: Is it often that people will pledge themselves to more than one group in this kind of leadership--?

Mills: It's not uncommon, not uncommon. George Moscone did it himself later.

Then the next time we had a vote on the issue, Howard Way lost one vote; that was Fred Marler. He took the chairmanship of, I think it was, the Agriculture Committee from Marler and gave it to Burns, thinking he would mollify Burns and thinking that it wouldn't upset Marler because he was going to put Marler on the Finance Committee. But he didn't ask Marler, and it did upset Marler, so Marler changed over and became a vote against Way. Way had only won by one vote, so that was a critical vote.

But then Jack Schrade, who was the one who defeated Way, also picked up another vote because George Moscone changed over. He had decided that the reformers, the "good guys," were going to win. We had won, he thought we'd win again, and he changed over and voted with us. So he lost both times.

The time that George was committed both ways for pro tem was when George Zenovich ran against me in 1975. George Moscone promised me that he would vote for me; he subsequently promised George Zenovich that he would vote for George Zenovich. Ultimately, when the vote was cast, I counted all the people that I expected to vote for George Zenovich, and there was one more than there should have been voting for Zenovich, one more than I had counted for Zenovich, and I think that must have been George Moscone. He was the only one that I was doubtful about, and I knew he was pledged both ways. So he reneged on his pledge either to George Zenovich or to me, and I think it was the pledge to me.

It was kind of a sad story. George hated to tell people no; it was hard for him to say no. Then if he said yes to two people who were on different sides of the question, he couldn't bring himself to go back and tell the person that he was committed to the first time that he had committed himself the other way. That ultimately was how he died, because it happened that he did that to a fellow who was of a violent disposition.

Morris: Yes, who thought he had had a commitment.

Mills: He said he had, yes. Dan White said he had a commitment. On the basis of George's performance in Sacramento, I shouldn't be surprised if he'd committed himself both ways. As I said, I know on that occasion when I was running for re-election as pro tem he did, and he didn't withdraw either pledge. So whether he was the one who voted for Zenovich or not, that I didn't know about [chuckles]; he was pledged to vote for both of us, and he only voted for one, whichever way he went.

Morris: Is it considered protocol, if you have made a commitment to two people, that you tell the first person that you've committed yourself to the other one, or that you tell somebody that you've changed your mind on supporting someone?

Mills: Oh, yes! It's not considered good form at all to commit yourself both ways.

Morris: That's the basis upon which the counting is done during this process of leadership election?

Mills: Yes. You expect people, when they make a pledge, to live up to the pledge. I always knew that there were some problems. Each time I was elected, there were some soft pledges, ones that I wasn't really counting on.

Morris: Yes. In other words, sometimes somebody will pledge but doesn't necessarily deliver?

Mills: Sometimes people pledge and don't deliver. That's very much looked down upon.

When I finally lost the pro temship it was because people believed other people's accounts of pledges. David Roberti was telling people that he had fifteen, sixteen, seventeen votes and so forth, and among the people that he listed were people who weren't pledged to him, but no one called them to ask them.

Morris: They took his word for it?

Mills: They took his word for it: they believed him. So there were a number of people at the end--when he was giving a count of how many he had, he said he had nineteen. Well, that was completely ridiculous. But even the press picked it up and carried it.

Mills: Well, there were people around--he was saying that he had Nick Petris's vote. Nick Petris told me that he didn't. He was saying that he had Walter Stiern's vote. Walter Stiern told me that he didn't. He was saying that he had Henry Mello's vote. Henry Mello told me that he didn't. And so on down the line. I could name a bunch of--yes, I could name a number.

It was pure scam. It was a different situation. It was one that developed because people expect to be told the truth around here. They expected that David Roberti was telling them the truth, and he wasn't telling them anything like the truth! [chuckles]

Morris: If you felt you had, for example, Petris and Stiern and Mello in your count--

Mills: I didn't count--

Morris: You were not counting?

Mills: I did not count Mello. Mello said he was uncommitted. I didn't count Petris. Petris said he was uncommitted.

Morris: I see. They just said they had not pledged themselves to Roberti.

Mills: That's right. But other people who were committed to me, like Walter Stiern, he [Roberti] had listed as committed to him. Jack Holmdahl was committed to vote for me, and Bill Green, and John Foran, and Ruben Ayala, and Bob Presley, and so forth. Even up to the very end when he was claiming to have nineteen votes, that was done purely by [pauses]--well, I don't know quite how to put it politely. [chuckles] It was simply by not telling the truth.

Morris: If that was the case, why did you drop out?

Mills: Well, because he got people to believe it.

Morris: Ah!

Mills: What I'm saying is he made people believe it. He made Ralph Dills believe it, for example. As far as I could figure, Ralph Dills was the twelfth vote. There were twenty-three people in the caucus. Ralph Dills was the twelfth vote. Ralph Dills apparently believed it. Ralph Dills had some

Mills: things that he wanted. He wanted to be on Finance, and he could get a commitment from David to put him on Finance, and a couple of other things that he wanted, and he got them.

It's an interesting thing, by the way. If you look back to 1961 when Jess Unruh was elected speaker, when anyone asked him for a commitment for a chairmanship or for anything else, he said he wouldn't give it. He said that he didn't think it was proper to give, that it was no way to organize the house, it was necessary to sit down and try to organize the house in logical fashion, and he would not make any commitments because he thought it was improper. I think generally that had been the attitude prior to that time.

Twenty years later, when David Roberti was elected president pro tem of the senate, he bought almost every vote with a promise of a chairmanship or promises of a committee membership or something like that.

Morris: You made the same point when you were elected pro tem.

Mills: That I--

Morris: That you had not made any promises to anybody of chairmanships or--

Mills: No, I never made any promises to anybody. No, I never made any promises to anybody in the course of getting elected pro tem, because I thought it was an appropriate way to proceed.

But in the case of Roberti, he had promised Boatwright the chairmanship of Elections and Reapportionment, and Boatwright hadn't even been a member of the senate before. He also promised him membership on Finance. He had promised John Garamendi the position of floor leader, and Paul Carpenter the position of caucus chairman, and Alan Robbins a chairmanship, and Joe Montoya a chairmanship, and Diane Watson a chairmanship, and so on down the line, just right down the line.

Morris: He got everything all organized.

Mills: Well, he had to create some additional chairmanships in order to be able to pay off. He had sold so many chairmanships, he had sold more than he had.

Morris: That seems very poor planning.

Mills: But it's not pure poor planning if you decide that you're going to buy a bunch of people. If you think the members of the senate are willing to sell themselves, sell their votes, then you buy their votes. If it costs more than there are positions to give away [chuckles], you can create new positions.

The whole question is simply a matter of morality. Is it a moral way to proceed? Is it a proper way to run the senate in the first place? I never thought so, and that's why I'm not pro tem, but I don't regret it. If I had to remain as pro tem by doing the same thing, I wouldn't do it.

Morris: The indication, then, is that people expect to have a reward in return for however they vote.

Mills: The indication is that the morality of the legislature is not what it was some years ago. The standards of conduct here are not what they were. I think that's clear now.

Morris: In other words, when you first came into the senate, it was not the custom for somebody to say, "I will vote for you if I can be on thus-and-so a committee."

Mills: No. We took seriously in the past the section of the law that says that's illegal; it's a crime under California law.

Morris: Specifically?

Mills: Yes! Yes, it is.

Morris: It would seem to be well-known amongst people who are working together, but a difficult matter to take to some kind of an ethics board or committee.

Mills: You can't take it to an ethics committee. Ethics Committee is a committee of the senate. A minority cannot proceed against a majority if it requires an action of the body to impose a discipline.

Morris: Yes. Is it a matter that you could take to a court?

Mills: It could be taken to court. It is a crime, and there could have been prosecution, but I don't think there would be.

Morris: As they say, it would be a can of worms.

Mills: Yes.

Morris: When you were describing the one vote that shifted with Mr. Way, is that the period--Howard Way was pro tem for a brief while, and Jack Schrade was pro tem for a brief while?

Mills: Yes.

Morris: Okay. Is that when the one vote shifted sides?

Mills: Yes. Two votes, actually, because George Moscone changed the other way. George did not vote with a winning candidate for pro tem in a contest until he voted for me. And then, apparently, the first time I was challenged by a Democrat, he [chuckles] went with the losers again!

Morris: [laughter] Oh, dear!

Mills: But I didn't hold it against him. You know, George was impossible to dislike.

##

Morris: Were either Way or Schrade in the pro tem spot long enough to make his mark, as it were, or start any kinds of changes?

Mills: Howard Way made a number of changes. Jack Schrade didn't. Jack Schrade tried to take things back a little bit to past times, but he didn't make any substantial changes. Howard Way tried to reorganize things somewhat.

Morris: What kinds of things was he--?

Mills: Well, he changed the committee structure to some extent, and he tried to set up better procedures for assignment of bills; there were a number of reforms. You should ask him.

Morris: Yes, I would like to. But I was thinking of what he was like to work with from your point of view.

Mills: Well, he was very good to work with. He was very diligent and conscientious as president pro tem in trying to make the senate work as it should.

Morris: You felt he was a good model when you decided to have a try at it?

Mills: I think he was a good model. I effected more reforms than he; more took place when I was pro tem than when he was pro



Mills: tem. More reforms took place when I was pro tem than during the administration of any other pro tem in the history of California, I'm sure.

Mills' Selection as Pro Tem, 1970

Morris: How did you emerge as a candidate for pro tem? Was there some change in--? Was there a special election or--?

Mills: Mostly because there wasn't anybody else among the "white hat" Democrats who'd been fighting against the forces of evil. [dryly] I knew the rules probably better than anyone else, and the rules had been used against us so much that people on our side of all of these conflicts liked the idea of having a pro tem who knew the rules so that the rules couldn't be used against us or the rules could be properly enforced without favor to anyone. Also, I had been sort of on the cutting edge. I had raised more thoughts about what was going on than anyone else. I had been more vocal in my opposition than anyone else. I had said more on the floor.

The business relationships between Hugh Burns and some lobbyists were quite close. He had been in business with various lobbyists.

Morris: This is in real estate and insurance?

Mills: Insurance more than anything else, yes. And I had expressed myself freely on that subject. I didn't think it appropriate for the president pro tem of the senate to be much involved in the insurance business, making a lot of money from the insurance business, with a partner who was one of the top lobbyists for the insurance industry.

Morris: Yes, that would cause some questions, I would imagine.

Mills: So I had been making a noise about it. Everybody else had been quiet, pretty well; nobody said much. So I'd become a little more prominent in the opposition than others.

The person who proposed me as a candidate for pro tem, the day after election day in 1970 when it appeared that we had twenty-one votes, was Mervin Dymally. He called me up and said, "I'd like to put together the votes for you to be pro tem," so Mervin was the one who brought it up. However,

Mills: Tom Carrell had had it in mind and had mentioned to me that as soon as we had twenty-one votes in the senate he was going to go to work on getting me elected pro tem, so the first suggestion came from Tom Carrell.

Morris: They egged you on to be outspoken in these things?

Mills: Nobody egged me on to be outspoken on these things. I think they probably thought it would have been better if I hadn't been quite so noisy about it.

Morris: Well, that's what I wondered, because quite often the person who blows the whistle, as it were, creates sufficient antagonism that you then need a more neutral person to take the leader spot.

Mills: That's true. That's true. If I had been aiming to be president pro tem, I would have done better not to be so vociferous in my criticism of the old regime.

Morris: Yes. Then how come they voted for you once you did emerge as a candidate?

Mills: Well, ultimately the reform-minded Democrats coalesced behind me. Al Alquist decided he wanted to be pro tem and divided them. We had a meeting finally to decide which of us it was going to be, and the group--

Morris: This is the Democrats?

Mills: This is the reform-minded Democrats, basically that breakfast club. They decided that I should be the candidate rather than Al. That left the other side as the opposition, and the candidate was Steve Teale, who represented the old guard. But we had the people who had been sticking together through all these battles, and supporters of Howard Way on the Democratic side, in a coalition with the people who had supported Howard Way on the Republican side, and we had gained a vote or two.

Morris: The Howard Way supporters were in general in support of you?

Mills: Yes, the Howard Way supporters were in support of me, and we had gained a couple of votes which put us over the top. Peter Behr was elected in the district that had been represented by Jack McCarthy, and Peter Behr was a Way supporter and a Mills supporter, whereas McCarthy had been voting the other way. Also on the Democratic side, Arlen Gregorio was elected and he voted with us, so that put us over the top.

Governor Reagan and the Legislature

Morris: Jack McCarthy had been pretty close to Governor Reagan, hadn't he, as a legislative advisor?

Mills: Jack McCarthy supported Governor Reagan.

Morris: Right.

Mills: I don't think that Jack McCarthy was ever very close to Governor Reagan. If he was, I didn't see it.

Morris: What I was wondering is to what extent the governor's office looked like it was involved in the pro tem election.

Mills: The governor's office was sentimentally, I think, in support of the old guard in the senate, but I don't think they were much involved in the battle. I wasn't aware of any involvement.

Morris: That's interesting, because going back to when you came into the senate, one of the comments that's made about Reagan as governor is that he didn't seem to have very good relationships with the legislature in 1967.

Mills: He was nasty to us.

Morris: He was nasty to you?

Mills: We didn't like him. [dryly] He was insulting.

Morris: Himself, or in the person of his legislative aides?

Mills: Personally he was insulting.

We used to have pro tem's dinners every year. We used to invite the governor; it had always been the custom. Prior to the time I was in the senate, for a long time, the governor had been invited to the pro tem's dinner. It stopped during the time that Reagan was governor; nobody wanted him to come because he'd be insulting. He'd stand up and make a speech which was reasonably friendly, and then at the end he'd say something unpleasant, and he never failed. Finally, we talked about it, the people who did those things, and finally decided, "Well, let's not invite him because we know that at the end of his speech there's going to be some stinger that will make us all mad at him. So let's just leave him out."

Mills: He had the feeling that many governors have that the legislature was an unfortunate mistake on the part of our founding fathers. Also, he had the feeling that the Democrats in the legislature existed only for the purpose of opposing his ideas, that the only thing that we had in mind was to thwart him as he tried to do good things. He looked upon the Democrats in the legislature as [ominously] "the other side."

Morris: The other side of another side. If the legislature is against the governor's office, the Democrats are even more so?

Mills: Yes. He looked upon us like a Notre Dame football player looks upon the people who play for SMU. He never seemed to have any feeling that we might be as interested in the well-being of the public as he. He was always talking about "partisan fun and games." Everything we did that we didn't agree with him, he'd call "partisan fun and games." If he had any program and we didn't vote for it, it was "partisan fun and games."

Morris: Did you have any sense of whether this was coming from Reagan himself or from some of the people--

Mills: I'm talking about what he said personally and did personally.

Morris: What he said himself.

Mills: Yes.

Morris: In the interests of the well-being of the public, did you make any effort to talk to his legislative people--

Mills: Sure.

Morris: --or to Republicans to find out what this was all about?

Mills: Oh, some people we could talk to; some we couldn't.

Morris: Yes. Whom could you talk to?

Mills: Whom could we talk to? We could always talk to John Tooker. John Tooker was someone we could communicate with.

But Reagan himself was intransigent. I never found I could negotiate with him. He probably thought the same about me. But for him, negotiation, when we got to it, was that he

Mills: would come in and tell us what his position was, we'd tell him what our position was, we'd talk about it, he would refuse to give an inch (he would never make any concessions whatsoever), and then we'd meet a few days later.

His idea of concessions was he'd come back and say, "Okay, I'm willing to make some concessions," and then he would lay down his new position, which might include some giving of ground on what he had said before, but it didn't involve us. It was not a negotiating process; it was a matter of him telling us from day to day what his position was. Then he'd say, "Here, I'm willing to make some concessions," and then he'd take his new position, and they might not be things that we cared about, you know. He might think, "Well, these are concessions that the Democrats ought to be delighted with," but he may have chosen to alter his position in a manner which really didn't mean anything to us, and that happened. Then he'd be furious with us.

He'd say, "Here I come in in good faith to negotiate with you, and I make some concessions, and you won't make any concessions." We'd say, "Well, you know, that's not really making concessions. You make concessions when I ask you to do something that I'd like to have you do and you agree to go part way, but you didn't do that. You took a position the other day, and now you're taking another position today, and I've had no part in drawing it up."

That was the way he always was. You never got more from him than Ronald Reagan working out what he thought his position should be, and then perhaps revising what he thought his position would be, and perhaps further revising what he thought his position would be. But I never had, and I don't think any Democrat ever had, any part in the process of his changing his mind. He changed his mind because he thought it was appropriate to change his mind, but a negotiation process doesn't involve organized labor coming to the table and saying, "Okay, here's what our demands are," and then coming in a few days later saying, "Well, you didn't like those, so here's what our demands are today." All we got from him was a successive set of demands which were altered from time to time.

It's like the matter of withholding. He was dead set against withholding, would not consider it, would not talk about it. It was simply not a matter you could discuss with him. We'd say, "Governor, we could pick up so much in the way of additional revenue by withholding." He'd say, "That is not negotiable. That

Mills: is something I am not willing to discuss with you." When the day came that he was for it, he didn't work it out with us or anything of the kind. He simply announced, "I am for withholding." The press asked him what happened. He said, "I changed my mind." And when he changed his mind, he was as inflexible as he was before. And what is more--

Morris: He didn't say that you'd convinced him that withholding was a good thing?

Mills: No, no. And what is more, I think he thought he was right all along. That is to say, I believe that Ronald Reagan thought he was right when he opposed withholding, I think he thought he was right when he favored withholding, and I think he probably feels still that he was right in opposing it when he opposed it and the day that he changed his mind was exactly the day in the history of California when it was appropriate to change from one position to another. I never heard him say he was wrong, and I don't think he ever did. I think he felt he was right from beginning to end. That was what it was like dealing with Ronald Reagan.

Morris: Do many people, in the reality of the world, particularly in the kind of negotiations legislation takes--do many people ever say they're wrong?

Mills: Oh, I think people can say they're wrong about a thing like that.

Morris: How about the celebrated Welfare Reform Act of 1971, in which it's reported that the governor and legislative leaders sat down and hammered out a workable compromise and it took a week. How did that work in relation to your--?

Mills: There wasn't much compromise.

Morris: What went on during that week?

Mills: It was a case of Ronald Reagan saying from day to day what he was willing to do.

Morris: And so what did all the rest of you do?

Mills: We told him what we'd like to do, and he didn't pay any attention. He'd come back in the following day with a new set of proposals.

Morris: Was there any staff contact, his staff and--?

Mills: Well, there was a lot of contact.

Morris: On working out some of these details before and after the official meetings of the legislative leadership?

Mills: There was a lot of discussion. I don't know how much working out beforehand; the working out mostly came after.

Morris: You made a speech on that which I thought was kind of interesting because it ended up with a nice paragraph about how it was a "rewarding exercise, despite serious partisan differences between a Republican governor and a Democratic-controlled legislature."\*

Mills: I thought it was appropriate to try to improve relationships with the Governor.

Morris: I see. Did you feel that any progress was made, while you were pro tem, for instance, in that second term?

Mills: What progress?

Morris: Did you feel that there was progress in relations between the legislature and the governor's office during the second term?

Mills: [pauses] It was some better. [pauses] It had been very bad the first term, as I said--a lot of insulting remarks--but in the second term there wasn't as much.

He campaigned against me in 1970 and did all he could to defeat me. I don't think anyone else was singled out for as much attention as I.

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\* August 31, 1971, Town Hall, Los Angeles.

On the Republican Election Hit List, 1970

Morris: I came across a note that your race for re-election was one of the top two in expenditure that year in terms of legislative races.

Mills: [surprisedly] Was it?

Morris: Yes.

Mills: \$120,00 or \$125,000, something like that?

Morris: Right, right. There was another campaign somewhere in northern California that was \$130,000 or \$140,000. The California Journal picked this up--[December, 1970]

Mills: That's interesting.

Morris: --and said that these were the two most expensive campaigns. They didn't mention what the particular circumstances might be.

Mills: Nowadays in a hot campaign they'd spend three times as much. I was number one on the Cal Plan hit list.

Morris: Why?

Mills: They thought that I was most vulnerable for some reason. Ronald Reagan came down and campaigned against me; helped me, I think.

Morris: He actually came? Well, he was running himself for re-election.

Mills: Yes.

Morris: He would come to San Diego and say, "Re-elect me and don't re-elect Jim Mills."

Mills: Yes, that I was a rascal.

Morris: Who had the Cal Plan people put up against you?

Mills: The chairman of the board of supervisors of San Diego [Henry Boney].

Morris: Was he a major threat?

Mills: I beat him two to one. I ran ahead of my registration.



Morris: That means you picked up some Republican votes.

Mills: I picked up more Republican votes than I lost Democrats.

Morris: Why was that, do you suppose?

Mills: There are a couple of reasons, but Ronald Reagan, I think, helped me. Wasn't it H.L. Mencken who said, "A man is judged by the stature of his enemies"? I think I was elevated by Ronald Reagan. Ronald Reagan would say terrible things about me, and then I'd say terrible things about Ronald Reagan, and--

Morris: You both got elected again! [laughter]

Mills: The people voted for both of us.

Morris: What particularly had they singled out as campaign issues against you?

Mills: They tried to make out that I was in favor of narcotics. The biggest issue used against me was that I had never carried a bill to control the narcotics traffic in California. Well, I expect that probably 90 percent of the members of the legislature haven't carried bills to control the narcotics traffic in California, but they made it appear that I was totally uninterested in the problem and I probably really was in favor of kids using narcotics. They got Art Linkletter to make campaign statements (television, radio, and so forth statements) against me because he had had a narcotics problem in his family. He thought I was a terrible person because I had never carried any bills to deal with the problem. Art Linkletter is a San Diegan and went to San Diego State, as I did.

Morris: Did he?

Mills: Yes, had quite a number of friends there.

It was probably fairly effective. They went back over my voting record on the issue and found every bill to increase penalties on narcotics that I had voted against, and listed them all, and told people what they should do. They said, "Mills voted against this bill to increase the penalties for people who push narcotics, and voted against this bill, and voted against that bill," and so forth.

- Mills: What was dishonest about it, of course, was that at the same time I had also been voting for some bills. In the course of a session, if there are three or four bills on a certain subject, it doesn't make a lot of sense to vote for three or four bills when the approaches that they take may not be in harmony with each other. So I had voted for bills during those years to increase the penalties for people who peddle narcotics, but I hadn't voted for all of them, and I don't think anybody with the brains God gave a goose would vote for all of them. But they found all the ones that I had voted against and made it appear that I was voting against all the bills that came along to control narcotics.
- Morris: That sounds like some fairly careful, selective research was done against you. Did you use--
- Mills: Oh, they went all the way back. They went all the way back to my first year in the assembly when we had a bill that provided for the death penalty for anybody who sold marijuana, the second offense--the death penalty. I didn't think that was a very good bill.
- Morris: And you had voted against it?
- Mills: Well, I didn't think we should execute people the second time they were caught for selling marijuana, no.
- Morris: How did you deal with that kind of a campaign against you? Did you use research?
- Mills: I didn't talk much about him. I just mostly put out material to promote people's good opinion of me.
- Morris: And just ignored the Republican campaign against you?
- Mills: I didn't say a lot about it, no.
- Morris: Did you have debates?
- Mills: Yes, I had a couple of debates. In those debates, why, I replied to the charges.
- Morris: Your opponent would make the charges to you face to face?
- Mills: He would make the same charges that he was making in his campaign literature, yes.

Morris: Were there any times when you'd appear on the same platform with Reagan?

Mills: No, no. I would have been glad to. I liked the idea of giving people the appearance that it was a campaign between Ronald Reagan and me, and that my opponent was just a nonentity that nobody was paying any attention to; the real fight was between the Governor and me. That was very--

Morris: That would be very elevating.

Mills: That was very advantageous to me.

Morris: How about Gordon Luce? Was he still in the governor's office at that point?

Mills: Oh, I should think he was. I don't know.

Morris: I think he stayed until 1970. I wondered if you and he had worked on things together in San Diego.

Mills: We never worked on much together. Oddly enough, I'd known him for many years. He was at San Diego High School when I was.

Morris: You were classmates?

Mills: No, we weren't classmates. He was a year or two ahead of me, maybe two years. But he moved in different circles, still does.

Morris: I wondered if he was a factor in this campaign at all.

Mills: No. Oh, I'm sure he helped raise money for my opponent. They didn't raise an awful lot for him though. He was a rich man, and they hung him out to dry. [chuckles] They got him into the race and figured he could finance his own campaign, which he could, and a lot of the money that went into the campaign was his.

Morris: Was that a campaign where money made the difference?

Mills: He outspent me by a little bit officially, but there was a lot of money, I always felt, that was spent in the campaign that wasn't reported. There are various ways around the campaign reporting laws, and it always seemed to me in looking at that campaign that a lot of things were happening and being done that weren't being reported.

Morris: Like media or mailings?

Mills: Well, you can't do media or mailings; there are records of that. But there are other things you can do. I'll take it back; you can do media and mailings if you can get someone else to do it.

Morris: Yes. An independent committee. We didn't have the campaign finance reform act at that point.

Mills: No.

Morris: We had different ones at that point.

Mills: Yes. We had that; we had a requirement for reporting.

Morris: Right.

Mills: But you could have somebody else do it. Some committee which was not the committee to elect Jim Mills could put an ad in the paper for me, you know, a committee of schoolteachers or a committee of realtors or a committee of some other group of people. That way it could be done. Also, you could peel off money and give it to people to work in a campaign without anybody being wiser.

Morris: Because you could pay people out of hand for their pocket expenses and it wouldn't necessarily be reported?

Mills: Oh, you could pay them more than that. You could give them as much as you wanted, but if it came out of your pocket it might be pretty hard to trace.

#### Concern for Public Transportation, Environmental Problems

Morris: Coming back to the senate, it looks like when you moved from the assembly to the senate your legislative interests changed. You're on the Water Committee and the Transportation Committee.

Mills: I didn't want to be on the Water Committee.

Morris: You didn't? [chuckles] I thought everybody wanted to be on the Water Committee in California.

Mills: I was on the Transportation Committee; that's what I wanted to be on all along in the assembly.

Morris: Whence came your interest in Transportation?

Mills: It's long-standing. I don't know whence. It changed, though. At the beginning of the time that I was in the assembly, I was very much interested in the freeway program and keeping it moving and making it work.

Morris: In relation to what the needs were in San Diego?

Mills: Oh, statewide. But by the time I got to the senate, I had decided that the freeway program was no longer what we should be spending our money on, that the future would require better public transportation, and that took place just about the time I went to the senate. I became concerned about the energy crisis at that time and also about environmental problems presented by the automobile.

Morris: That's where the "liberal" world was at that point, in the 70s.

Mills: I don't think they were getting there yet, were they? [pauses] I suppose. It was the beginning. The freeway revolt had taken place in San Francisco, but it was pretty rare.

What turned me on to it was basically the environmental considerations. I was concerned about the increasing expressions of scientists, increasing expressions of alarm about changing the constitution of the atmosphere.

Morris: From your own reading, or you had staff people working on this?

Mills: I think the thing that really started me off was the President's Science Advisory Commission report that suggested that there was a severe danger of changing the climate of the earth as a result of increasing the carbon dioxide in the air. The President's Science Advisory Commission (it was President [John F.] Kennedy's Science Advisory Commission) suggested that by the year 2000 we might be entering a warming trend that would be effectively irreversible. It would cause the melting of the polar ice caps and stupendous consequences, tragic consequences. And, of course, nothing that has taken place since that time suggests that it isn't as real a danger now as it was then. The commission did not say that it would happen, but it said it was a substantial risk, and I didn't think that it was a risk we should run.

Mills: The question relates to the use of fossil fuel. It doesn't relate specifically to transportation, but I decided to take one little corner of it in hand, one little corner of the problem in hand, and see if I could make a contribution. You can't do all that you would like in the legislature, in politics. It's necessary to define a set of reachable goals.

##

Morris: There are a number of speeches and reports in your file on the transportation issue.\* You seem to have zeroed in on San Diego, and your efforts in transportation also seem to be related to planning. I wondered how you sort those two out. It sounds like planning was sort of a secondary concern of yours that was related to--but transportation was your first concern.

Mills: The most important thing I did in the field of transportation was to carry SB 325, which became known as the Mills, Alquist, Deddeh Act because there were three bills in the hopper in 1971 to extend the sales tax to gasoline and use the proceeds for public transportation. The other two bills were bills that Ronald Reagan said he would veto because they extended the state sales tax to gasoline and then expended the money as state funds.

I had come up with a different approach because I was concerned about how he would react to it. My approach was that the sales tax would be extended to gasoline, but the state taxes (the state sales tax) would be diminished by a quarter of 1 percent, so the state actually wouldn't have any increase in the proceeds from the sales tax. We would take with one hand and give with the other. We would increase the revenues of the state by \$135 million, approximately, by extending the sales tax to gasoline; and then we would give up \$133 million or thereabouts, \$132 million, by giving up one quarter of a cent on the general sales tax.

So that was the way it was done. It left that quarter of a cent available to local government to pick up as a tax for transportation purposes, and in all the larger counties that tax for transportation purposes had to be used for the support of public transportation and basically went to the expansion of public transportation systems. It has produced a tremendous amount of money over the years, and it is the largest single program of support for public transportation in the United States, with the exception of what the federal government does. Without

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\* Copies in Supporting Documents in the Bancroft Library

Mills: that act, there wouldn't be any bus service in California today. That was the most important action that I took in the field of public transportation.

Morris: There was another bill to enable California to spend federal urban mass transit act funds in 1971, and that seemed to be tied to other legislation that required that before you could get federal money for mass transit you had to have a regional plan. Then, you know, San Diego was the first community to develop such a plan. Were you involved at all in that?

Mills: No, I don't recall having been involved in that.

Morris: Okay. So they just were separate parallel--

Mills: Or if I was involved, it wasn't very important to me.

Morris: I see. The fact that it was San Diego was just coincidence.

Mills: Yes.

#### Planning Process Problems

Morris: Okay. One of the papers I read was a fascinating article by Arthur Bauer about the process of developing a consensus in a regional community for development of regional transportation plans.

Mills: I remember the bill vaguely. If I had much to do with it, it was just with one hand. I don't think I carried it. I don't think it was a very important bill. I think it was mostly a matter of compliance with federal requirements.

Morris: Yes, I think that was it.

Mills: And that kind of bill, where you have a bill that's a matter of having to comply with federal requirements, you never think much about a bill like that. You just put it in and take it through and everybody votes for it.

Morris: [chuckles] Even when, as so many of them came to do in that period of time, they required community planning of some kind? Did you find those planning requirements made for better programs?

Mills: I don't think they were ever very successful. They may have made for better programs. The problem with the whole planning process as it was set up is that the planning agencies were made up of the representatives of all of the agencies which were being governed by them, and they simply would get together and agree upon things. Each one of them, I think, was a pure log-rolling operation.

The City of San Diego or the City of Escondido would come in and say, "Here's what we want," and the City of Chula Vista would say, "Here's what we want," and the City of National City would say, "Here's what we want," and San Diego would say, "Here's what we want." Then they'd all go through it, and then they'd all agree, "Well, if you vote for mine, I'll vote for yours," and it really didn't turn out to be much of a planning process. It was better than nothing, but it never accomplished what was expected of it, in my opinion.

Morris: In this same discussion paper, the point is made that you're not really going to get all of everything that each of those communities wants, that the best approach is an incremental approach.

Mills: Yes.

Morris: Is that similar to your idea that you can't cover all of the problem, but you can make a contribution if you work in a small area?

Mills: No, I don't think so. It was just a matter of apportioning money. As I said, not that everybody would get what they wanted--well, they'd get their share. Nobody ever got enough. All of them would put in for more than a pro rate share was, and they'd get in effect a pro rata share.

I think incremental approach was a different matter. It relates largely to transportation; in planning terms it relates to transportation.

Morris: How does that work? You start with a small--

Mills: You don't start like BART [Bay Area Rapid Transit]. You start by building a little bit at a time.

Morris: BART was incremental in reverse.



Mills: BART was the opposite of incremental. They presented a seventy-five-mile system to the voters, and the people voted on the whole thing. The same was done in Los Angeles once or twice. That's not a good way to build a system. The only justification for it is the political justification that if you're going to get the votes for an increased tax, you have to offer everybody something whether or not it makes any sense. That was how BART was built. There were sections of BART that were simply to pick up votes.

#### Governor Reagan's Staff and Work Style

Morris: You talked about transportation in terms of your concern about the environment. Did you work at all with those agencies in the governor's cabinet that had to deal either with resources or with transportation?

Mills: Oh, from time to time.

Morris: How was that kind of relationship?

Mills: Usually through staff.

Morris: Your staff and their staff?

Mills: Yes. A lot of negotiation would take place on the staff level.

Morris: And were those negotiations and relationships more successful than the ones between the senate pro tem and the Governor himself?

Mills: Yes, very often. If it was something Ronald Reagan didn't care about, it was possible to negotiate it.

Morris: At the staff level?

Mills: That's right. Sometimes I'd be drawn in. If it got to be something a little more heavy, why, we might sit down with the director of the Department of Transportation or whatever and work it out.

Morris: How about Mr. Livermore, who was the Resources secretary? Did that seem to be--? It looks as if he may have had different kinds of views than Governor Reagan.

Mills: Yes.

Morris: And that he may have had some influence with Governor Reagan in terms of more of a conservationist orientation than some of the other people in the administration.

Mills: Well, certainly he was more conservationist in his outlook than the administration as a whole.

Morris: Would you sometimes go to him on some of these questions rather than go directly to the Governor or to the governor's office?

Mills: If it was something the Governor wasn't likely to be very interested in, but you didn't go around Ronald Reagan. If he was interested in something, he would make sure that it came out the way he wanted it, or it wouldn't happen. There was no such thing as going behind him or around him. He was very much in charge.

He didn't spend a lot of time here, you know. He'd work from nine to five or whatever. I used to see him coming to work. I'd ride in on my bicycle, and he'd come in in his limousine with the body guards and a limousine full of body guards in behind him and so forth, and I'd see him go by. He'd go home at five or shortly thereafter. He didn't spend an awful lot of time finding out about things because he didn't have that kind of time, but he had opinions on most things. And he didn't let people do anything in that administration that was contrary to those opinions, nothing that he was aware of, and any important issue he would be aware of.

Morris: Through the memo system?

Mills: I don't know. I don't know how they worked it.

#### Jesse Unruh's 1970 Gubernatorial Campaign and the Democratic Party

Morris: Before I go and see if your next person is here--I didn't ask you about the other aspect of the 1970 election campaign. While Ronald Reagan was campaigning against you in San Diego [chuckles], were you campaigning for Jesse Unruh or involved in his campaign at all for governor?

Mills: I was willing to do what I could, but it was pretty hard to do anything for him. That is, there wasn't an awful lot going on in San Diego for the campaign, and when we arranged things then

Mills: sometimes the rug would be pulled out from under us. For example, we were able to arrange a big billboard, a painted bulletin, one of the great big ones, on Interstate 5 where a lot of people saw it. It was a good board. It was free. It was a Democrat who owned the board.

Morris: How marvelous! What a treasure.

Mills: There was nothing else on it, and he said, "You can have it as long as nobody rents the board," so we had the sign up there, and people were seeing it. There wasn't anything much going on for Jess. There were no other billboards at all. There was very little advertising. He was fighting an uphill battle.

They made us take the sign down; that is to say, the Unruh people made us take the sign down. They heard about the sign and called up and said, "You've got to take that sign down." We said, "Why take the sign down? You don't have anything else going in San Diego County. You've got one billboard. That's about it." [They said,] "Well, we have made the announcement that we're not going to be spending a lot of money on the campaign, we're not going to try to buy people's votes, we're not going to be buying billboards, and therefore we're not going to have any billboards. Therefore, take it down."

That is an indication of the kind of problem that we had with the Unruh campaign, trying to do something. There were people working for that campaign who prevented that from happening. I think John Van De Kamp, who is now the district attorney of Los Angeles, was the one who called up and said, "You have to get that sign down." There just wasn't much happening for Jess.

Morris: Did he have any kind of a legislative steering committee or anything like that that you might have been a part of?

Mills: I wasn't a part of any. See, he had gotten involved a little bit in the pro tem race in the senate, and relationships between us were somewhat strained. I had been an enthusiastic supporter of Howard Way, and he tried to give Jack Schrade a hand when Jack Schrade removed Howard Way, and all of us were [wry chuckle] out in the snow. Unruh was one of those who saw fit to try to help Jack, and I didn't think that was in the public interest, and so we weren't as close at that time as we had been in the past.

Mills: But I still, you know, wanted to see him elected governor. I think he would have been a better governor than any governor in my experience; I still think that. I don't think there's anybody in the state of California in politics with his ability or intelligence.

Morris: From your vantage point, what was the problem with that campaign? As speaker, he had such tremendous visibility and authority.

Mills: A lot of his publicity had been negative.

Morris: Yes. You mean in terms of the locking up the legislature and--?

Mills: Oh, yes. The press worked him over on that very unfairly. That was a real injustice that was done on the lockup. And other things, you know.

Before he became speaker, he rather enjoyed some of the bizarre publicity that he had been getting as "Big Daddy" and the heavy-handed bully of the California legislature. He was sort of amused by it and he even contributed to it. Some of the most outrageous things that were said about Jess Unruh were said by Jess Unruh.

Then, by 1963 or '64, he realized that that was hurting him. He decided he wanted to be governor, and that kind of publicity was very damaging to him, but the press wouldn't let him forget it. They kept using it over and over again. Everything that he had ever said, they kept repeating to make sure that people remembered it. They kept going over the lockup as though that had been some sort of an attempt to force the Republicans to vote aye on the budget, and it wasn't. The decision for the lockup was made--did we go through this before?

Morris: I think we did.

Mills: Okay. Well, we don't need to go through it again. But he had gotten more bad publicity than any other prominent politician in California during the 1960s. That was damaging to him, but he still did pretty well. He did a lot better than Pat Brown, and Pat Brown had a lot of money to spend. Pat Brown had a lot of television, a lot of radio, billboards, the whole thing. As I remember, that was a pretty well-financed campaign. Jess didn't have any of those things, and Jess came a lot closer to beating Reagan than Brown did.

Morris: What kinds of efforts were there, either in the legislature or in the state Democratic organization, to coalesce or reorganize or build a new focus to counteract the Republican gains?

Mills: Well, we just did what we usually do. We tried to raise some money and tried to put on campaigns. I don't recall anything being very different that year. Of course, I was very busy with my own race. We picked up a couple of seats.

Morris: Yes. And that's the normal way it goes. You don't come back--the party as a whole, statewide, doesn't pull together to recoup its losses?

Mills: The party as a whole, statewide, is just what Hiram Johnson intended it to be--virtually nothing--and it was the same that year as it is most years.

Morris: Well, I'm thinking about in contrast to the Republicans, who developed the Cal Plan and had been working industriously to increase registration and--

Mills: Yes. Well, that was the year the Cal Plan fell apart. The Cal Plan had worked. They had continually picked up Democratic seats. They had targeted Democratic seats, and they had won those seats year after year, and they had increased their strength and increased their strength. That year they targeted Walter Stiern and me. I was number one, and Walter Stiern was number two, at least in the early stages of the campaign, and we beat them. That wasn't the high watermark of the Cal Plan; that was two years after the high watermark of the Cal Plan. The high watermark of the Cal Plan was '68 when they gained control of the senate. In '70 they lost control of the senate. Ronald Reagan won the governorship, but the Republicans lost control of both houses at the same time, which is an indication that--

Morris: The Cal Plan was selective at best?

Mills: The Cal Plan worked when they had people who were easy to beat. When they had taken out all of the people who were easy to beat, they got down to Walter Stiern and to me, and we weren't easy to beat.

Okay. Does that do it?

Morris: I think that's a good place to stop.

Mills: Okay.

Morris: Thank you kindly.

Mills: There will be people who will read that one with interest.

Morris: There will, indeed. There will, indeed.

Mills: Especially about [chuckles] George Moscone pledging himself both ways in the pro tem election.

Transcriber: Marilyn White

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Government History Documentation Project  
Ronald Reagan Gubernatorial Era

Robert T. Monagan

INCREASING REPUBLICAN INFLUENCE IN THE STATE ASSEMBLY

An Interview Conducted by  
Gabrielle Morris  
in 1981





ROBERT MONAGAN

ca. 1975

*Photo by Sirlin Studios*





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## INTERVIEW HISTORY

In any study of the California legislature in the 1960s and 70s, Robert Monagan is a key figure as the lone Republican to hold the position of Assembly Speaker. One of six "young Turks" elected in 1960 who were concerned that the party have a moderate position, responsive to social issues, Monagan was their chosen candidate when the opportunity arose to take control of the lower house in 1969. Earlier, as minority leader, he had worked diligently to help orient incoming governor Ronald Reagan on the workings of state government. This interview provides Monagan's succinct, sharp recollections of Republican efforts to increase and consolidate their strength in the legislature and of legislative relations with the governor's office.

A tall, fit, and friendly person, Monagan addressed the interview outline, which had been sent to him in advance of the recording sessions, with interest and candor. Obviously talented in working with people, he describes his early activity in student organizations and alumni relations at then-College of the Pacific and the Tracy Chamber of Commerce before becoming involved in politics. Touching briefly on his election to city council and assembly, assistance on various state and national Republican campaigns, Monagan provides insights into San Joaquin County politics and useful tips on grassroots campaigning.

During his early years in the assembly, he and his fellow young Turks were active in the Republicans' California Plan to elect more members of their party to office. The goal was to gain control by 1970 so that Republicans would shape the coming legislative reapportionment. Although they won a majority of assembly seats in 1969 and elected Monagan speaker, he ruefully notes that the party was unable to maintain its majority position, the speakership reverted to the Democrats, and the 1970 reapportionment became a struggle that was eventually resolved in the courts.

While speaker, legislative housekeeping required a considerable amount of his attention, and legislation on specific issues was largely left to others. One exception was environmental quality, which "arrived about the time I got to be speaker as a major issue demanding some attention from the legislature." Monagan's response was to appoint an innovative select committee that produced a bill requiring the executive branch to prepare a state environmental plan. The lengthy negotiations on implementation of this bill, discussed in more detail by Norman Livermore, Jr. and others interviewed by the Regional Oral History Office, reflect the view that the "legislature tends to ignore things that come from the governor, regardless of the party...nobody was going to grab in toto a program of any governor and try to run it through the legislature."

In this and other passages, Monagan clearly speaks as a man of the legislature, emphasizing continuing interaction between legislators and the governor's people as vital to effective government. The governor's office, he felt, was "suspicious of all of us who were in the legislature... it was a hard thing to get Reagan to meet with legislators". On party matters Monagan expresses admiration for Reagan's effectiveness as fundraiser, but reservations about his impact on the party organization. These relationships between party, candidate, officeholder, and government operations are, of course, the crux of the drama of political life, and Robert Monagan has provided a front-row seat at a particularly absorbing scene.

At the time of the interviews, Monagan was president of the California Manufacturers Association. He agreed readily to an invitation to participate in the project and promptly made time to see the interviewer in his Sacramento office on June 22 and July 13, 1981. A rough-edited transcript of the tape-recorded interviews was sent to him for review, and returned with minor emendations in April 1982. Shortly before then, John Veneman, a close friend and fellow member of the young Turks of the 1960s, had died. Because Veneman too had been a key legislator during the Reagan administration whom the project had planned to interview, Monagan kindly agreed to include in this memoir his remarks at the memorial service for Mr. Veneman.

Gabrielle Morris  
Project Director

8 June 1982  
Regional Oral History Office  
486 The Bancroft Library  
University of California at Berkeley

## I PERSONAL BACKGROUND

[Interview 1: June 22, 1981]##

Teaching, Coaching, Community Activities

Morris: I'd like to start by asking you a little bit about your personal background, how you came to settle in Tracy, and what your educational background is.

Monagan: Well, I had a very checkered background in that I, unlike lots of people, did not have any real fixed goal in mind when I started out. I was born in Utah. We moved to Vallejo and I grew up and went through school in Vallejo. I went over to Stockton, to what was then the College of the Pacific (now the University of the Pacific) and had planned to become a teacher and a coach, and was graduated in '42.

But the war, of course, had come about by then and I went into the service and served in the U.S. Coast Guard until I got out. Then I came back to Pacific and did my graduate work and was still planning to be a coach and a teacher.

Morris: Football?

Monagan: Well, more baseball and basketball, but football could have been part of it, in a high school level. I did coach the Pacific freshman basketball team one year. But while I was doing my graduate work, the school asked me first to be alumni secretary, which I was for a few months, and then they moved me over to be the graduate manager of athletics in the

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## This symbol indicates that a tape or a segment of a tape has begun or ended. For a guide to the tapes see page 86.

Monagan: athletic department. So I stayed and worked at Pacific for four years in that capacity.

Morris: While you were doing your graduate work you started, and then you just eased right on into the job?

Monagan: Right, right. I got my general secondary teacher's credential but never got out to do full-time teaching. I did teach at both Pacific and what was then Stockton Junior College (now is San Joaquin Delta College) on a part-time basis while I was graduate manager and taught a variety of things, including tennis and badminton and basketball and economics and community hygiene and personal hygiene.

Morris: Sort of a man of all work.

Monagan: Almost anything that they needed someone to fill in, I could kind of fill in half way.

Morris: Well, the community college movement was really expanding at that point.

Monagan: Yes, it was, right.

Morris: Lots of students and funding.

Monagan: Then I left there and went to Tracy as manager of the Chamber of Commerce, and that's where I first got my taste in the political side of things. I went there in 1951, which was a reapportionment year, and the county was trying to maintain two assembly districts out of reapportionment. I headed up a committee that worked on that and tried to persuade the legislature that San Joaquin County was entitled to two assembly districts, but they didn't concur in that, and one of them got eliminated.

#### Early Political Experience in San Joaquin County and Washington D.C.

Monagan: I didn't really have any goal in mind to get into politics. I had never really thought too much about that. But then I was sitting in the Chamber of Commerce office one day with the county chairman for the Republicans who was a friend

Monagan: from Tracy, and he said, "I don't know how to run any campaign, and we need to have somebody run the Eisenhower campaign of 1952. Would you run it?"

I said, "Well, I don't--I guess I could." He said, "We need somebody that can organize some things." So they put me in charge of that.

Morris: Who was the county chairman at that point?

Monagan: His name was Lindsay Cochran.

At the end of the campaign, the congressman from that district, a Republican congressman, Leroy Johnson, said, "Well, why don't you come back to Washington and be my administrative assistant?" I thought, that sounds like a good idea, so we moved back to Washington for a couple years, which was a very valuable experience. But we had two children and we decided that it was too hard to do. So we moved back to Tracy, and I went in the insurance business, and then pretty soon, being involved in all kinds of community activities, that led me up to running for the city council--

Morris: Could I go back a minute and ask you [a question]?

Monagan: Yes.

Morris: In your congressional assistant days, was there much contact at that point between a congressman from San Joaquin County and the local legislative representative?

Monagan: No, not very much. Even in today's times you get pretty removed, once you get back to Washington, from things, and there's not too much contact that way any more.

Morris: So what particular kind of work did you do as a congressional assistant? Any particular subject area?

Monagan: No. In those days the entire staff of a congressman was two and a half persons, and now, when they have about twenty-five, it's basically a constituent responsibility in dealing with the issues that came up from constituents and dealing with federal agencies and also some keeping the constituents informed, the communications aspect of the job.

Morris: What kinds of constituent concerns were there from your district?

Monagan: Well, there were lots of things. Our congressman was a member of the Armed Services Committee, so we had a lot of issues dealing with military facilities. Water and agriculture were big in the area, and the congressman was working on the Tri-Dam Project here on the Stanislaus River. So we were involved in a lot of issues like that and, of course, worked with all the people on all the agricultural issues that there were.

Morris: The local farm organizations?

Monagan: Yes, yes. True.

Morris: So then you decided to run for the city council?

Monagan: I ran for the city council and got elected.

Morris: Was that a tough campaign in those days?

Monagan: Well, not really. It was a small community, and I'd been involved in all kinds of organizations in the community for a long time, and it kind of just was a natural to be well-known from those activities and to get elected to the council.

Then I was planning to run for a county supervisor's position that was opening up. I was in Sacramento one day. I had headed up the Delta Water Users' Association, and I was appearing before an assembly committee on water issues, and the local assemblyman, Bill Biddick, called me and said that he wasn't going to run. He was a Democrat but an old college friend. So we shifted plans and moved from running for county supervisor to running for the assembly.

So you readily see that, as you look back through all my record, it wasn't anything very well planned and laid out. They almost happened by some circumstance developing.

Morris: It sounds like you've had a continuing interest in people and in organizational activities.

Monagan: Right, yes. That kind of follows all the way through. It's a common thread of being involved, and organizing and developing and communicating and working with people all fit into that.



Morris: What's the source of your interest in organizing and getting people together? Have you ever thought about that?

Monagan? No, I don't know. In all my school career I was involved in some kind of leadership position, as president of the student body in high school and president of the student body in college. I haven't thought about any particular reasons for it. It just kind of all developed. I'm an active person, just getting involved in things.

Morris: Lots of energy, yes.

## II 1960 ASSEMBLY CAMPAIGN

Politics in Tracy

Morris: The California Blue Book says that you were mayor at one point. Did you run for that?

Monagan: The mayor is elected by the councilmen. I was elected mayor at the same time I announced that I was going to run for the assembly, which posed a little bit of local political problems, but not too much. My council colleagues went along with that. They didn't know whether I was going to get elected or not, so they thought I could still serve as mayor while I was running for the assembly.

Morris: Why had your Democratic college friend decided not to run again?

Monagan: He'd been a member of the legislature for six years and wanted to be a judge, and so he decided to run for the superior court instead of running for re-election to the assembly.

Morris: He decided to run for the judgeship?

Monagan: Right, right.

Morris: Ah, that's interesting, because I thought that was a fairly recent development.

Monagan: Yes, right. Well, Bill Biddick was a very outstanding kind of person. There was an opening on the court in San Joaquin County for a superior court judge, and he did not want to be indebted to Governor Pat Brown, and he refused (which he could have easily gotten) an appointment to fill it; he decided he'd run for it. So he ran for the office and got elected and felt he wasn't obligated in any way to anyone.

Morris: Did you work on his superior court campaign?

Monagan: Well, indirectly, yes. I supported him.

Morris: That's a nonpartisan spot.

Monagan: It was a nonpartisan thing, so it didn't pose any problems for me, political problems.

Morris: Is San Joaquin that kind of a county that you can have across-the-lines alliances between parties and that sort of thing?

Monagan: Well, yes, it was about two-thirds Democratic registration versus Republicans, but they were more rural, conservative kinds of Democrats, so it was easy for them to cross party lines and vote for a Republican.

Morris: Tell me a little bit about your campaign then, how you put together an assembly campaign.

Monagan: [pauses] Well, in politics generally, you have to be kind of lucky. The Democrats were caught by surprise by the announcement that the incumbent Democrat assemblyman wasn't going to run, so they did not have things planned and ready for a campaign. They had about six Democrats who wanted to run for the job. They had a convention, an endorsing convention, and they couldn't agree on anyone, so they let them all run.

Morris: In the primary?

Monagan: In the primary.

Morris: Oh, dear!

Monagan: So what I thought was about the third best of the group won the primary. I think if one of the other couple of stronger candidates had won, I probably wouldn't have been elected. But I happened to draw an older man who had been around there for a long time (he was about sixty-six, as I recall, at that time), and I was relatively young and vigorous at thirty-nine, and so that age difference and the vigor that I could put into the campaign were very helpful.

Morris: How had you happened to decide on the Republican party in the first place?

Monagan: Originally?

Morris: Yes.

Monagan: Well, that's a good story too. I grew up in Vallejo, and my father and mother were Democrats. Of course, they were products of the early Roosevelt days, and it was a lot more popular to do that. We also lived in Vallejo, and he worked at the Navy yard, and they felt very strong attachments to Roosevelt, who had been a strong supporter of the Navy. So they were Democrats and the community was pretty Democrat. So when I registered the first time, I registered as a Democrat and had no interest in politics at all.

When I went into the service, and when Roosevelt decided to run for a fourth term, I was so incensed about that that I got one of the easy forms that you have in the service where you can change your party affiliation. I just filled one out and sent it in and said, "I'm going to be a Republican," so that's how I became a Republican.

Morris: And then when you got into business and got settled in a county that had a heavy Democratic registration, you still stayed Republican.

Monagan: Well, I was committed by then, by accident, because the Republicans asked me to run the Eisenhower campaign. So then I got identified as being a Republican and went to work for a Republican congressman. So I was pretty well locked into being a Republican, at least by registration, at that time. I probably was more personally conservative than the district down there, but I was able to operate with a moderate kind of image politically, and so--

#### Constituents; Organization; Fund Raising

Morris: Is there a lot of political participation in San Joaquin? Are the parties active?

Monagan: Well, the Democrats had taken it for granted all during the years because it was pretty well dominated by Democrats for about twenty years. The registration was always on their side, and if they had reasonably good candidates they could win.

Monagan: In the instance I already outlined, if they had been better prepared and come up with a stronger candidate, I probably wouldn't have won in the first place. But once I won, I was very active in my work, and so I built up a lot of alliances with people that cut across all the partisan lines.

Morris: On issue legislation?

Monagan: On issues like education. I was a teacher, I'd gotten my credential, so I had a lot of appeal to the education people. Agriculture was a strong base because of my previous activities with the water issues, and I'd developed a lot of relationships with state employees in San Joaquin County.

Morris: Are there?

Monagan: Well, there was a state hospital and a highway division office and a correctional institution, that Deuel Vocational [Institution]. So I had lots of those people that I could work with. If you were interested in their problems and kind of responded to their needs, well, they didn't care whether you were Republican or Democrat. So once I got in and became an incumbent, that incumbent factor was enough to carry me through regardless of registration.

Morris: Did you have any Republican opposition in the primary?

Monagan: The first time I did, yes, there were three candidates. But I had a head start because I had a little advance knowledge that the vacancy was going to occur, and I had been involved in all those activities with the Republican party before, so--

Morris: Was the local county central committee active?

Monagan: Not publicly, but they were almost all--all the establishment of the party were on my side.

Morris: In the primary?

Monagan? Right. They couldn't get involved in the primary fight, but they were basically my friends.

Morris: Were there some good experienced hands there that offered advice on running a campaign?

Monagan: Well, they probably turned to me. They thought I was the expert on running campaigns because of my having run that presidential campaign, so they looked to me as the one who was the most notable campaign organizer.

Morris: A lot of times you find in a local area there is a grand old man who knows all the ins and outs of local political concerns and who to get to run this and that campaign. Anybody like that?

Monagan: No, not really. Some people were very helpful in terms of raising some money for the campaign. The president of the Bank of Stockton, for example, was a long-time friend and he circulated among the people who would respond to invitations for political contributions, so that was helpful in that regard.

But campaigns didn't cost as much money in those days as they do now. We were chastised for having spent the most amount of money anybody had ever spent for that kind of a campaign, and we spent \$15,000.

Morris: [chuckles] This is for both the June and the November campaigns?

Monagan: Right, right.

Morris: Was it difficult to raise that much money in 1960?

Monagan: It seemed like it was. We raised all the money we thought we could raise, and that was \$15,000, and that was still a lot of money for a campaign.

Morris: And how did you spend it?

Monagan: We had a very well-rounded campaign, a sufficient amount of billboards and a little radio (television wasn't a factor in those days), and then the rest of it was mostly direct mail, and try to personalize the mail as much as possible.

Morris: Ah! That's become a fine skill. How did you do that in 1960?

Monagan: Well, we didn't have the advantage of the technology that they now have, but I always had a strong feeling that that was a very valuable way to campaign. So we had to do it by volunteers doing all the work instead of having computerized mail operations. You would get printed letters, and they would hand-address to all of these people, the volunteers.

Morris: Did you use the "Dear Joe" device?

Monagan: Yes. We used everything that we could in that way to personalize them.

Community Contact; Family Interest

Monagan: Then there were a lot of people who suggested that you ought to go door to door. I never was big on door to door. I thought that wasted a lot of time. So we came up with what we thought was the next best thing, and we had it very, very well organized, in having community teas. We'd get somebody to invite in twenty, twenty-five of their neighbors in areas, and we had as many as seven of those functions a day throughout the county, and I'd just go from one to another.

Morris: Who did your scheduling?

Monagan: I had a very able gal who was my secretary down in Stockton for the whole twelve, thirteen years I was in the legislature. She was very good at that.

Morris: She came in as a volunteer on your--

Monagan: No, I had hired her here for my district office in Stockton.

So we just did that. I'd just drop in and I'd spend about thirty minutes at each one. I'd drop in and get introduced and have a cup of coffee. I ate a lot of doughnuts and cookies in those days. Then I'd talk for about fifteen minutes about what I thought were the major issues and give them a couple of minutes for questions, and then I'd dash off to the next one.

Morris: Seven a day is an incredible schedule.

Monagan: Yes. I thought it was very, very effective, because we did them geographically, so they were spread out. I always felt that if I made a good impression on a person on an informal basis like that, they would then go out and tell all their neighbors, "Oh, I was over at a tea, and I saw Bob Monagan, and I was impressed with him," or whatever it was, assuming that it was favorable.

Morris: Did you get a cross-section with people who were opposed to you, or plants from the opposition candidates?

Monagan: No, no. They probably weren't that well organized. I think the hostesses we got would invite people, and they probably would eliminate anybody that had known persuasions the other way. But these were all mostly women; very few men were involved in that.

Morris: That's interesting.

Monagan: All we'd do is ask them and say, "Well, look, if you like what Bob's talking about, why don't you take a few of these little leaflets and hand them out to your friends?" We thought that was very effective. I thought that was better than going door to door.

Morris: What did the men do in your campaign?

Monagan: Well, the men were not really very active in the campaign. The women really did the work in those days. They were the volunteers. I think we miss that in our present political process, the involvement of people. It's far more efficient to put it in a computerized mailing list and send things out, but it was sure helpful to have people knowing that they had a part of it. They'd come down to the office and spend an hour or two writing out envelopes. We'd try to think of all of the little devices we could that involved people in the campaign. It's unfortunate that politics has become very impersonal now.

Morris: Did your wife get involved in this at all?

Monagan: Yes, she was involved, although she kept the business kind of going while I was out. We had a small insurance business and she was--

Morris: I see. She worked in the business with you.

Monagan: She had to kind of keep an eye on that.

Morris: That's a good relationship. How did she feel about your going into--well, it wasn't full-time politics then, but adding a--

Monagan: Well, it almost gets to that point of being full-time. She didn't object to that. We still had growing children, and that is a problem for people in politics. We were kind of lucky that we got into it just about the time they were in high school and getting out of high school and on to college, so it was a little easier than if they were very young children.



Morris: Yes. How did they feel about their father being very much in the public eye?

Monagan: Well, I think my daughter, who is the youngest, thought more highly of the whole thing than did my son. He was a couple years older, and I think he just kind of ignored it. He was at that teenage, high-school level of getting ready to go on to college and didn't pay too much attention to it, but my daughter did. She eventually got involved in politics, and she's worked up in the legislature for the last eleven years, and she's going to go back to Washington and work in the new administration.

Morris: Good. As a legislative aide?

Monagan: Well, she's going to be a special assistant to the undersecretary in the Health and Human Services Department.

Morris: She really followed in her father's footsteps then! [laughter]

Monagan: Yes.

Morris: Did you piggyback at all with other candidates, either for the city council or for Congress?

Monagan: No, pretty much independent. Everybody thought that that was always the wise course of action, because of the Democratic registration, not to get too identified with other candidates.

Morris: That was the Nixon/Kennedy year, which was a pretty close presidential election. Was it close also in San Joaquin?

Monagan: Nixon carried San Joaquin County.

Morris: Did he come into the county at all to campaign?

Monagan: He did a couple times, and I appeared with him. It wasn't one of those things where I didn't want to be attached to him, but I did campaign pretty much independently of that.

Morris: Were you active at all in state Republican affairs before you got into the assembly?

Monagan: No, not until after I got in the legislature.

Water and the Delta

Morris: Were there any particular issues you recall as being crucial?

Monagan: Well, I got elected in part on the issue of water. In 1960, that primary election, also on the ballot was the Proposition 1, the billion-dollar water bond act, and I was vociferously opposed to that.

Morris: Were you?

Monagan: Because that also was good politics. The people in the Delta area were not supportive of that water bond act, and all the reasons that I used in my arguments against it turned out to be right, and they're right today when they talk about the Peripheral Canal.

Morris: In terms of the water quality in the Delta?

Monagan: Well, there are a number of things. One, they never had enough money, and they were deceiving the people in terms of thinking that if they passed a billion-dollar bond act that would take care of it. It turned out very soon to be an insufficient amount of money. Secondly, they didn't have enough water in the basin to take care of everybody's needs. And third, the basic thing is that if you make a commitment to take water out of the Delta or that would flow into the Delta normally, and divert it, sooner or later the only place you're going to get water to put back into the basin is the north coast and the wild rivers, and they declared all of those out of bounds. So you can't take a chance (the Delta people can't take a chance) unless somebody makes a commitment that when they need water to replace in the Delta, they'll get it from the north coast. That's still basically the fight now about the Peripheral Canal.

Morris: So San Joaquin County is allied with the north generally in the water crunch.

Monagan: Right, right.

Morris: How about the agricultural people in your area? You've got big farms around.

Monagan: Yes. Lots of big farms. There are also lots of small farms too. There's lots of big farming in the Delta area because that's the way those tracts were developed, but there are lots of small farmers in San Joaquin County, and I had an excellent relationship with them.

Morris: And they felt that there was adequate water--?

Monagan: Well, they wanted to make sure they had adequate water, and they didn't want to have somebody come and take their water away and not have any mechanism for replacing it if they needed it someday.

There's a need for a Peripheral Canal. It makes a lot of sense, and you do need to protect the people who have their own economic interests in the Delta, but the fundamental problem is there's not enough water to go around. If you're going to take it out of this basin, you may not need it for twenty years, but someday you have to replace that water, and the only place is up on the north coast. That's the only big supply of water that's left; that goes flowing out to the ocean, and there ought to be a commitment made that when the water is needed they'll move some of that water into this valley basin.

You've got the environmentalists and others who are saying, "We've got to keep those rivers wild, and we don't want ever to do that." So it's politically difficult to accomplish, and we've still got the same fight we had twenty years ago on the Peripheral Canal. The same issues are there.

Morris: It takes a long time to work out some of these issues.

Monagan: Yes.

## III LEGISLATIVE MANAGEMENT AND OPPORTUNITY ##

Fellow Freshman Legislators

Morris: When you went to Sacramento, did you have some kind of an orientation process or father figure who guided you through the ways of the legislature?

Monagan: [pauses] Well, in part that's true. You generally wind up with somebody who's your seatmate. I happened to have an assemblyman from Redwood City by the name of Carl Britschgi, who had been in the legislature for about six years up to that point, and he always professed to have taken me under his wing and taught me everything that he knew about the legislature. But I got along very well with people in the legislature, so I had a lot of support there.

But one of the things that happened is we--I was elected to the assembly in '60, and we took office in '61, and it was a very small class of new legislators. There were only nine new assemblymen that year. I had the distinction of being the only Republican who replaced a Democrat in there, so I got a little notoriety out of that. But we had a very outstanding class of legislators in those nine, five Democrats and four Republicans. They included Jim Mills, on the Democratic side, who became the president pro tem of the senate; and a rather notorious Congressman by the name of Bob Leggett, who was only there for two years but went back to Washington as a Congressman.

Morris: From Vallejo, wasn't he?

Monagan: From Vallejo, right.

Monagan: And Jack Knox, who just retired after twenty years in the legislature and also served as speaker pro tem of the assembly. There were two others: Jack Casey, who was very influential in educational issues; and another gentleman, who died in the first term, by the name of Jimmy [W.A.] Hicks, who was from Sacramento. They were good friends.

Then I developed a very close alliance with the other three Republicans in that group. They included Hugh [Houston] Flournoy, who became state controller ultimately and a candidate for governor; and Bill Bagley, who was very prominent in the legislature and then was a candidate for state controller and then was the first chairman of the federal commission on commodities [Commodity Futures Trading Commission] markets; and then the other one was Gordon Cologne, who's now an appellate court judge in San Diego.

So it was a pretty outstanding class overall, and we had a lot of close alliances and affiliations that way.

Morris: As you say, most of you ended up in leadership positions in the legislature.

Monagan: Right.

Morris: Is that because you were a small class or native talent or--?

Monagan: Well, I think it in part is the fact that it was a small class, and the talent, but what also happened is that there was a series of reapportionments after that. In the first election after we had been there, there were, as I recall, thirty-three new assemblymen elected because of reapportionment.

Morris: In '62.

Monagan: In '62, the election of '62. So lots of new people came in after that. Then there was a subsequent reapportionment in '66, which brought in a lot of new people, and then a further reapportionment in '71 for the '72 election, so there was a tremendous turnover after we got there. So we were kind of moved into a position of--by attrition we were in leadership roles.

Morris: Survivors.

Monagan: Right, yes.

Morris: Well, in '66 you lost sixteen or seventeen assemblymen to the senate after that reapportionment.

Monagan: That's right, that's right.

Morris: That's very interesting.

Monagan: So there was a tremendous turnover after we got there, which probably helped us in that regard. We became somewhat senior more rapidly than other people.

#### Jesse Unruh Becomes Speaker

Morris: And when you went into the assembly, was Jesse Unruh already speaker?

Monagan: No, Ralph Brown was the speaker. He [was] from Modesto, Stanislaus County. But that was a reapportionment year that we were involved in, and Jesse Unruh was already maneuvering to get Ralph Brown out of the way. The story goes that Ralph Brown had agreed that he would not run for re-election and that Jesse could be the speaker.

Morris: [Brown agreed that he would not run for re-election] as speaker?

Monagan: No, he wasn't going to run for re-election at all.

Morris: I see.

Monagan: Then he suddenly changed his mind, and then Jesse went to work and undermined him and worked it around so that Pat Brown appointed him [Ralph Brown] as an appellate court judge to get him out of the way. So we were called back into a special session in 1962, early 1962, so that Jesse could exercise the votes that he had to get himself elected speaker, and Ralph Brown was appointed an appellate court judge.

Morris: Did the Republican contingent in the assembly participate in this negotiation?

Monagan: No, no, they were pretty much ignored in that process. The numbers were something like [pauses] forty-eight to thirty-two, so Jesse had all the numbers he needed over on the Democratic side to get elected speaker, and then he also had a lot of Republicans supporting him too.

Morris: Really?

Monagan: Because there wasn't any place for Republicans to go, so some of them decided--

Morris: You didn't have a candidate of your own?

Monagan: No, no, no. You didn't do that. It was a more bipartisan approach to those things in those days, although Jesse became so hard, party line that he helped move it to the point where it became partisan in nature. In the old days, it was a personal thing. You tried to get on the right side of the person who was elected speaker, regardless of what party you were in, and that was the way things kind of operated. So Jesse had quite a few Republicans that supported him.

He did have a fight. Gordon Winton contested him for it, but it was kind of a minor thing. Some of us voted for Gordon Winton, but Jesse had all the votes he needed to get elected speaker.

Morris: If you voted for Winton, did that put you at a disadvantage when it came time for committee assignment?

Monagan: Well, it did, but we were so far at the bottom of the barrel anyway that it didn't make any difference. So Jesse tried to create problems for us, but we were able to survive all of that. We had a friendly rivalry after that.

Morris: You and Jesse personally?

Monagan: Yes, yes.

Morris: So he didn't hold--did he hold grudges in general?

Monagan: Well, he did, but he got over that when he got through with his "Big Daddy" image and he started to recognize that he had to deal with it more adroitly than just pure power.

### Strengthening the Legislature

Morris: Unruh is also credited with having instituted a lot of additional staffing and improved methods.

Monagan: Right. And I think he would say that I helped him greatly in that. We worked very cooperatively in that. He had the feeling, a strong feeling, that you should strengthen the legislature vis-a-vis the executive branch of government; the legislature was pretty subservient to the executive branch. The legislature had no staff support. They had no research support. So Jesse's idea was that we had to strengthen the legislature by providing some staff support, and I agreed with him on those things, and we worked together on a lot of them.

Morris: Your job was to get the Republican members to vote for them?

Monagan: Right, right.

Morris: Where were these ideas coming from? Did you have conferences or--?

Monagan: Well, no, I think you'd have to give Jesse Unruh most of the credit for initiating those; he felt that there was a need for professional staff. I think those ideas come mostly from Congress, patterning it more after Congress. That was unusual because most state legislatures--in fact, all of the state legislatures at that time--there were few of them that had much staff support. We were moving in the direction, a big state like California, that the legislature was in session a good part of the time, so there was the adjunct to all of that to move the legislature away from the old budget sessions and put it in annual sessions.

The theory behind all of that was that under the previous constitutional restraints the legislature met one year in general session and the next year they could only meet in a budget session, but the issues were so great in California that they would come up regardless of whether it was a budget session, and the legislature was then subservient to the executive branch because only the governor could decide what issues, other than the budget, you could talk about in the



Monagan: even-numbered years [in special sessions]. So we supported a constitutional change to put the legislature into annual sessions, and then, further on down the line, the additional change to put them in a two-year session of the legislature.

Now the legislature's gone overboard on the staffing routine. It was not Unruh's concept, not [that of] those of us that supported him, that there would be this much staff in the legislature. It was our concept that you'd have a professional staff person on the tax committee and on the water committee and on the agriculture committee and on the insurance committee and the other committees, and they wouldn't necessarily change because of a change in speaker or a change in party or a change in committee chairman. But what's happened is that those have been politicized to a great degree, although not entirely; there still are some professional people there that would serve regardless of who was in charge, but there's far too many of them too. It's just gone overboard.

Morris: How about in terms of assemblymen's own staff? Was that added to in your time?

Monagan: There was an increase in staff in those days for all legislators. When I was first elected in 1960, a legislator was entitled to a secretary in the capital and a secretary in their district office, and then, if you were a committee chairman or had other responsibilities, there was additional staff. But everybody was entitled to that staffing.

Well, then it got to be a second secretary in Sacramento, and then it got to be a second secretary in your district office, and then it got to be an administrative assistant. So they all increased the number of staff people working for them.

Morris: Did you have somebody that you particularly relied upon as staff?

Monagan: I had the same two women, one in my district office and one in my Sacramento office, the whole time that I was in the legislature, and it was a godsend. They really just ran the place.

Morris: They did the administrative detail work?

Monagan: They did everything. They did everything.

Morris: And did they get involved in issues, legislative research, and that sort of thing?

Monagan: Well, not--[pauses]. My district office secretary got involved in the political side of things, in the campaign, and my Sacramento secretary just kind of ran the whole thing in the capitol.

Morris: So you didn't have a research person yourself?

Monagan: No, no.

Morris: You relied on the committee staff?

Monagan: Right.

Morris: Was your feeling that as the staffing improved, you were able to improve on the governor's legislation or challenge his assumptions?

Monagan: That was one of the premises for doing it, and I think that proved to be correct, that you then did not have to accept at face value what the Department of Finance offered in the way of budget or issues, or any of the other departments. You had somebody around who could challenge them and dig up issues or information for arguing the issues.

#### Pat Brown as Governor

Morris: It looks as if there were kind of increasing difficulties between Unruh as speaker and Pat Brown as governor. Was this accentuated by the increase in staff, do you think?

Monagan: No, I think it was mostly because of Jesse's political aspirations and the ambitions, and Pat Brown was kind of in the way, and he was most anxious to get Pat Brown out of the way so he could run for governor.

Morris: Did the Republican caucus find Pat Brown difficult or unreasonable to negotiate with?

Monagan: We found Pat Brown was an ideal target, political target, because he was not pretentious and he would make statements that were easy to capitalize on, and the issues and the state finances were such that he became a target for them. The budgets were growing and we could attack his budgets. We could attack him on the crime issues; he was very reluctant to move on capital punishment. He had sort of an image as a bumbler. He wasn't a bumbler, but he gave that impression of being one. He'd also been governor for four years, and once you've been around for a while you develop lots of reasons for people not to like you politically, and so you would use him as a target.

I actually got along with Pat Brown better than I did with any other governor that I've been around. He was the kind of person that would pick up the phone and say, "Hey, Bob, you guys are all wrong. Why don't you come down and talk to me about it?" So we'd go down to his office, and he'd put his feet up on his desk, and you'd talk about it. Now, you wouldn't necessarily resolve every issue, but he was easy to communicate with, and I think that in the long run was very helpful.

Morris: And even if you disagreed, you'd heard him explain his point of view, and he'd heard yours.

Monagan: Right, right. Sure, sure. And once in a while you'd work-- you didn't even have to work out the difference some way, because the whole thing doesn't come to a halt because you disagree, and the art of compromise has to come into it somewhere. So his manner was to facilitate that by being open and readily accessible.

Morris: How much did he rely on his office staff people in dealing with the legislature?

Monagan: Quite a bit, and he had some very good people in that regard. Frank Mesplé was one who had worked for him for a long time who was very good at doing things like that, and he had some good people around him that communicated with the legislature very well. Even as Republicans, we got along with his staff people very well.

Morris: How about people like Hale Champion?

Monagan: Well, Hale was a little more removed and, obviously, an extremely competent person to be able to run the day-to-day functions of the governor's office and responsibilities, but he wasn't as readily accessible. He was kind of isolated in the administration. You didn't get to talk to Hale very often.

Morris: Well, then he moved over as director of Finance.

Monagan: Finance, right.

Morris: And there were a couple of loud sessions when Unruh and Champion, I guess--

Monagan: Right.

Morris: --disagreed strongly on the same questions we have now of how much revenue is there going to be, and what are the expenditures going to be.

Monagan: Right, right.

Morris: Why is that such a difficult matter, to get a firm estimate of revenues?

Monagan: Well, because governors tend to play that--and legislators too--but they tend to play that to get the greatest political mileage out of it that they can, and they like to nurture the funds so that they're not faced with having to ask for taxes in an upcoming election year, so they're always trying to play things around a little bit so the timing is such that there's some political advantage to it. And the relationships between Unruh and Brown were not good, so they just didn't get along very well.

Morris: Yes. And from a Republican point of view, difficulties between two major Democratic figures--

Monagan: We were happy to see all of those things, yes.

#### IV REPUBLICAN PARTY ACTIVIST

##### Becoming Minority Floor Leader, 1965

Morris: In 1965 you became minority floor leader. Is that as much of a negotiating struggle as getting to be speaker?

Monagan: Well, probably even more severe in that regard because you're not dealing with as many players in the game. But the four of us that I've mentioned that had come up together were all pretty aggressive young people (I was the oldtimer of the group), but we were anxious to see that the Republicans be more aggressive in what they were doing. Joe Shell happened to be the minority leader at that time, and we were supportive of him, but he was interested in trying to get himself ready to run for governor, so he wasn't interested in what was happening legislatively. So we had some differences with him about that.

He did run for governor, and Charlie Conrad became minority leader. We didn't have any great differences with Charlie, but he wasn't very aggressive either. He was kind of the old school, that you get along with the Democrats and you do the best you can, and if the numbers aren't on your side, why, you can't do anything about it. We thought that we ought to be on the attack all the time, so we challenged him, and the first time we didn't beat him. But the second time, in '65, I got elected the minority leader.

Morris: Did the four of you that had come in together meet together for lunch or breakfast or anything like that?

Monagan: Yes, we had a little breakfast group. One other player in the game that got in there that we didn't mention was Jack Veneman, who took Ralph Brown's place [as assemblyman for the

Monagan: 30th District] when Jesse Unruh got Ralph Brown appointed to appellate court to open up the way for Jesse to be speaker. Jack Veneman got added to our group by special election [January 23, 1962], and so we had one more, and then we picked up three or four other people along the way, and we'd meet for breakfast frequently.

Morris: And would you primarily talk about a bill that needed to be passed, or were you more concerned with the party itself?

Monagan: We were more concerned about what kind of issues we could create, where could we take what kind of an opposition point of view, and what would happen.

That sort of led to the big problem for Jesse Unruh in his "Big Daddy" days. One day we were in recess from the morning [session] and were coming back at four o'clock to take up a big education bill. Jesse was at his obstreperous best in those days, and he was physically huge; it was about the time that Life magazine had come out and taken a picture of him and ran it nearly full-page, only the photographer had gotten down low and taken just a very unflattering picture, and there was this big huge picture of Jesse Unruh, and that was his "Big Daddy" image.

Well, about the time this was going on, he was running roughshod around the legislature. We were out to lunch, some of us, and we said, "Well, what are we going to do? We can't just sit here and take all this stuff." So, walking over to the capitol, we decided--it would have to take a two-thirds vote--we would not vote for the education bill until they at least told us what was in it. Jesse wasn't even going to tell us what was in it. It was a very confidential conference report, and no one was going to tell us.

So we came back and said--we got Hugh Flournoy up because he was our education expert, and he gave a big speech about the thing, and we just wouldn't vote for it. Well, that made Jesse mad.

Morris: This was the education finance bill?

Monagan: Yes, right.

Morris: SB 90.

Monagan: Then he locked us up and wouldn't let us out for dinner. That's when he locked us up all night and wouldn't let us out, and that made a huge big story, and it was over something so innocuous as--all he had to do was tell us what they were going to put in the bill in the way of money, and we would have voted for it. But he was just being antagonistic and wouldn't do it, and so we had a lot of fun with that, and that cemented his image as a big power broker and a "Big Daddy." Shortly after that, he decided he had to shake that if he wanted to be elected governor or something, so he started taking off weight and trying to shake the "Big Daddy" image.

Morris: Did you have some sympathetic newspapermen and radio people to--?

Monagan: Yes, they were generally sympathetic to us. They wouldn't necessarily agree with us, but it made good copy for them to have a fight going on, and so they generally treated us fairly well in that regard.

Morris: Did you use the press conference device?

Monagan: Yes, we would do that on occasion.

#### Cal Plan for Electing Republicans

Morris: Did this caucus and minority floor leader function put you in closer touch with the state Republican organization?

Monagan: Yes. It gave us opportunities to go out and meet with the formal Republican party groups around the state.

Morris: And by then the Cal Plan was operational. Did you--?

Monagan: We were helpful in getting that started. Gaylord Parkinson was the state chairman, and he gets credit for the idea, and he should. He came up with the concept, and we all agreed with it, that if we were ever going to get a majority, we should target to get the majority by the election of 1970 so that we could reapportion in '71. So we started on the idea of targeting districts: not waste all our resources trying to elect everybody, but try to pick out the districts where we could make progress towards the '70 election objective of winning a majority.

Monagan: Well, the unfortunate thing is that we got the majority a couple years too early and couldn't hang onto it, and so the Republicans wound up in '70, after the '70 election, having lost ground instead of gained ground. So I got to be speaker only during the two years of '69 and '70. In '68 we got to forty-one votes, and then in the next election we went right back downhill again to thirty-three.

Morris: What happened to make the plan not work as well in 1970?

Monagan: I think part of it was the Ronald Reagan phenomenon. He did lots of good things, but one of the things that his tenure brought about was the destruction of the Republican party.

Morris: Really?

Monagan: He dismantled, in a sense, the Republican party and built the Reagan party. If you didn't belong to the Reagan team, then you were not in, and so all of the good things that had been developed in terms of people around the state and all the volunteer organizations kind of disintegrated. You were either Ronald Reagan or you weren't Ronald Reagan; if you weren't Ronald Reagan, you weren't in. So that hurt a lot.

Of course, he was very controversial in the start of his administration, in things in which I supported him, but it also made it very difficult when you're out there campaigning, because he was cutting programs, cutting education, cutting welfare and doing all kinds of things like that that were not necessarily politically popular. So he did not have an ability to bring people into office with him.

Morris: The traditional Republican stance is that the cost of government should be controlled. But that doesn't affect the constituents who want a program?

Monagan: That's right. But not at that period of time. I think it's different now, but at that period of time it was not--

Morris: Well, as Pat Brown's second term is winding down, were the Republicans in the legislature concerned about the growth of the budget and the general cost of government?



Monagan: Yes, we raised all those issues on which Ronald Reagan ran for governor. We had been harping on them and developing them, and we had all kinds of various kinds of task forces that we had put together in the legislature to attack what was happening. Ronald Reagan picked up on those issues, and he was an outstanding communicator, and so he was able to run with the issues that we created against Pat Brown.

Morris: Was the Cal Plan--some of the people that we've talked to felt that the Cal Plan was sort of identified with the Reagan people.

Monagan: Well, no, he didn't have anything to do with it.

Morris: It had already been established?

Monagan: It was started by basically Gaylord Parkinson when he was state chairman, and he got the party to agree that they would collect special money for a Cal Plan effort, and this money would not just go to every Republican; it would go into the districts where they thought they had the best chance of electing a Republican. So instead of supporting eighty candidates, they'd support ten or fifteen down here in areas where they might have a better chance to win, and concentrated money and effort.

Morris: How do you deal with a Republican candidate who's not on your target list? Doesn't he feel that he's equally qualified to--?

Monagan: They do have that feeling, but that just happens to be a fact of life. The money was raised for the Cal Plan and not for the party, and so they had no legal obligations to every Republican. So the money wasn't going into the California Republican party; it was going into the Cal Plan.

Morris: Is that a separate organizational unit?

Monagan: A separate organizational structure interlaced with the same people but basically separated legally. Even without Cal Plan, Republicans would have picked up seats anyway, but the aim was to win control of the legislature so we would have a say in the 1970 reapportionment.

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Morris: Was your feeling that the 1960s reapportionment had been--gerrymandered--districts were disproportionately Democratic?

Monagan: Oh, it was gerrymandered, gerrymandered very adroitly, but they went so far in drawing those lines that the natural growth process in California would indicate that Republicans were just going to keep picking up seats again because there's no way you could legitimately draw up California and take the eighty assembly districts and have fifty-two of them Democrats and twenty-eight Republicans. That's what it turned out to be in that first election, but then naturally there were going to be more Republicans coming along after that.

Morris: Was registration picking up? Did you keep track of [that]?

Monagan: It wasn't so much the registration, but they had drawn the lines of those districts in such a way that the natural growth was going to distort those original premises for drawing the lines there, and the Democrats couldn't hold those districts. To get fifty-two they had to make a lot of Democratic districts marginal. They could have drawn say, forty-five Democratic districts and had them fairly strong, but as soon as you crept up to fifty-two those were marginal districts, and those were the ones that the Republicans started winning back, helped by the Cal Plan immeasurably.

#### 1966 Gubernatorial Campaign

Morris: When did you first become aware of Ronald Reagan as a growing figure in Republican politics?

Monagan: It was about the time of '63 and '64, and before the great Goldwater speech that he made. He was starting to make speeches around, and the Republicans had brought him in to be a speaker at various fund-raising activities because he was an early attraction. That's the first time I ever ran into him.

Morris: At a campaign function?

Monagan: Yes.

Morris: Did he come up here to Sacramento?

Monagan: In this case he was in San Joaquin County, when I first met him.

Morris: Did he come and campaign when you were running?

Monagan: Yes. Not for me, but--

Morris: I came across a reference to you as somebody whose name was being considered for governor in '66. How did that go?

Monagan: Well, I was the minority leader, and I was getting a lot of prominence because of our attacks upon Pat Brown, and we were trying to work those issues, and I was one of those that was listed as a possible candidate for governor, and I didn't do anything to discourage that. It was probably not logical that I would be nominated at that time. I wasn't that well known around the state. That just didn't work out. But I was at least mentioned in the group at that time and went to a few candidates' things, but I never formally ran.

Morris: In the Republican State Central Committee kind of discussion?

Monagan: Yes. Right, right.

Morris: That would have made quite an interesting field: you from the Valley, and George Christopher from San Francisco.

Monagan: I didn't support anybody in that primary. I was the minority leader, and I felt it was my responsibility to stay out of the fight. My sympathies were with Christopher, but I did not formally support Christopher. My friends all supported Christopher, and so the Ronald Reagan people assumed then that even though I wasn't publicly announced, I was still supportive [of Christopher]. So there was a little antagonism towards me from the Reagan people because of that.

Morris: From the minority floor leader spot, what kind of chance did you think there was to elect a Republican governor in '66?

Monagan: Well, we thought it was good. We thought, one, that people in California just were not going to elect Pat Brown for a third term anyway; that was stretching it too far. We thought the issues were right for a Republican to win.

Morris: Who was Republican caucus chairman at that point?

Monagan: The caucus chairman was Don Mulford.

Morris: Did he or the caucus do any kind of keeping tabs or polling, your own polling, separate from--?

Monagan: No. Things weren't quite--we didn't have the funds or the sophistication in those days to do as much of that as they do now.

Morris: So it was your combined practical experience.

Monagan: It was mostly that, right.

Morris: Did you feed that at all into Ronald Reagan's campaign?

Monagan: It was probably the other way around because they had the money to do a lot more research and polling than anybody else did. That was the phenomenon of Ronald Reagan, the fact that he could get together several million dollars, which was a fantastic amount of money compared to what had been raised in previous [campaigns]. So he was the one that brought [in], and his campaign people brought in, more of the sophisticated political operations.

Morris: In 1970 he and his people had quite a program of working with legislative candidates. Was that evident in 1966 too?

Monagan: No, they were pretty much on their own in '66.

In '70 there was a big problem because we felt that Reagan was not going to be that helpful a candidate, and he was reluctant to go out and help them, and the candidates that he did go out to try to assist--he could raise money for them. They all wanted Ronald Reagan to come in for a fund raiser, but they didn't want him to come in for a big public appearance.

Morris: Oh, I see.

Monagan: They knew he could raise money, but they also were concerned that if they got too closely allied to him it would be a political disadvantage.

Morris: Because of the strong                      that he had taken on issues?

Monagan: Right, right.

Morris: And this is in 1970?

Monagan: Yes, '70.

Morris: When he was elected governor, did that bring in an increased number of Republicans in '66.

Monagan: We gained in '66, but we gained, I think, because of the Cal Plan and things that had been going on that had no relationship to Ronald Reagan. The fact that he got elected governor by a big margin certainly helped. It probably advanced the Cal Plan goals by a couple of years. [interruption by secretary reminding Monagan of luncheon appointment]

#### Ronald Reagan Becomes Governor

Morris: Maybe we could talk a few minutes about your help to the Reagan transition team in '66-'67.

Monagan: Well, they came in. Ronald Reagan really didn't know a lot about state government. He just was not aware of it. He didn't bring in anybody with him who knew a lot about state government. We had planned, prepared in advance of the election, a big transition book for them.

Morris: I've heard about that. Do you suppose that still exists?

Monagan: If it [does], Ronald Reagan's people must have it someplace. I haven't seen it since.

Morris: I should think that would be a very helpful thing for anybody.

Monagan: But they were not aware of how state government operated, what they had to do as governor, so we put together that whole book for them.

Morris: When you say "we"--

Monagan: Our staff and the assembly Republicans put that together for him.

Morris: Who was the staff person that--?

Monagan: Well, there was Al Lipson, who was our chief staff person at that time, and we brought in all the people we could and went into that thing and raised all the issues, listed all the appointments that the governor had to make, all the main steps that had to be followed, and we gave that to them. We said, "Here you are. Here's how you go to work."

Monagan: Then we suggested that the most important appointment that the governor will make will be his director of Finance, that he ought to have somebody who knew Sacramento, knew state government, and knew how to make it go, because that was the most important thing to the governor. You're coming in during a financial crisis, the expenditures outstripped the revenues, and so something had to be done, and he needed somebody to help. We suggested that he ought to hire a person who really knew that and was smart and able: Cap [Caspar] Weinberger. But he [Reagan] wouldn't have anything to do with Cap Weinberger because he [Weinberger] had been here before. They thought that anybody who'd ever been in Sacramento before and knew what it was all about was just the wr-r-rong person. They just wouldn't have anything to do with that.

Morris: Now, was your sense that this feeling was coming from Mr. Reagan himself or the kitchen cabinet or his transition [team]?

Monagan: All of the above.

Morris: All of the above?

Monagan: Right. They just didn't want to have anything to do with anybody, they felt, that had been on the scene before. They were contaminated by being part of government, and they had to be all outsiders.

Morris: Well, he had two legislative aides when he took office as governor. One was Vernon Sturgeon, who'd been in the legislature, and Jack Lindsey.

Monagan: Well, he got those people after he got in office.

Morris: I see. Okay.

Monagan: And that wasn't easy to do that. He finally was persuaded that he had to have somebody that knew something about the senators, and so he got Vern Sturgeon in there. Then they brought in some outsiders to work with the assembly, and they turned out to be good people, and we helped educate them, we think.

Morris: [chuckles] Who did do the transition work, then, for Mr. Reagan?

Monagan: Well, they had a fellow by the name of Phil Battaglia, who got to be the Governor's executive secretary and then had to leave under a cloud.

Morris: Yes. Was that real, imaginary, or were there other things that were worrying somebody about Battaglia? What's surfaced in the press is that there was some question of homosexuality.

Monagan: Right. There was a big episode about that, and so they had to go, but it probably would have occurred sooner or later because there were a lot of strains in there. They didn't have a lot of people in there that knew how to deal with the government, the state government, and the legislature, and so they had a lot of problems early on.

Morris: Was William Clark part of the original--?

Monagan: Well, he came on a little later. He was very good, and he replaced Battaglia somewhere along the line. Clark was a different kind of personality, got along better with legislators.

Morris: So did some of these people come and sit down with your group in terms of how to use this guidebook or what you--?

Monagan: No, no. They didn't want anything to do with it. They were going to do it their way.

Morris: It's fascinating trying to reconstruct those days. Did you have any contact with somebody who was in the governor's office?

Monagan: Not really. It was very nominal. They were suspicious of all of us who were in the legislature, and they were going to bring in their outside people to do this.

Morris: Well, the thing that is most visible about Reagan and the task forces idea that you people had also used was he brought in a lot of businessmen. Were they visible at all in the transition year? They had space in--what?--the IBM Building here in Sacramento.

Monagan: Well, they weren't too visible. They were somewhat visible, and they contributed a great deal, but that came along a little later as they started trying to figure out how to do things. I think in terms of transition as the people that immediately came on the scene and started to run the things.

Morris: Yes, who were here from November through January.

Monagan: And there were people like Ric Todd, who was a former assistant state controller and had been involved in government for a long time, who was on their transition team, but they wouldn't listen to him because he'd been here before.

Morris: But he did survive with them?

Monagan: He would sit with them, yes, but they were not listening to him. They had their own ideas about how things were going to be run.

Morris: Were there people like William French Smith?

Monagan: I'd never heard of William French Smith until much later than that.

#### Legislative Relations with the Governor

Morris: So were you surprised when you were invited to a legislative leadership meeting in January of '67?

Monagan: There wouldn't have been any meeting unless we had demanded it. They didn't want to see us at all. We kind of kept prodding them and prodding them and saying, "You have to meet with the legislators. You've got to get to know them and work with them," and it took a lot of hard work and effort to convince them that they even should start doing that. It was a hard thing to get Reagan to do that.

Morris: Really? Did you have some sessions face to face with him in that transition period to talk about this?

Monagan: Not too many. They didn't want to see us. The press used to ask me every day, "Well, how are you getting along with Ronald Reagan?" "Oh, I get along with him fine." "Well, do you get to see him?" "Yes, I can see him any time I want to see him. I can see him." But they never asked the other question: Did he ever want to see me? If I wanted to see him, I could see him, but he never called me or others in the leadership.



Morris: But you could come in and see him?

Monagan: Oh, you could make an appointment. You could make an appointment and see him. It wasn't necessarily easy. I mean, he wouldn't just drop everything and see you, where a Pat Brown would do that.

Morris: You could see Pat? If at ten o'clock in the morning you called him, you could drop in by two in the afternoon? That sort of thing?

Monagan: Right. Sure, sure. Or he'd say, "Come down now" or "We'll get you in in twenty minutes." But Ronald Reagan--it was a battle. You had to get on the schedule and see a lot of people and tell them what it was all about before you could get there.

Morris: In other words, there were a number of staff people that you had to clear through to get a session with him.

Monagan: Right. And we may develop this a little later, but he did change a lot. The first two years were difficult. Then he began to recognize that he had to work with the legislators that were there and work in that process and make it work too, and he did much better, and he got some good people in to work with him.

Morris: That started about 1970?

Monagan: Yes. Right. Well, even maybe a little before that. They started getting them in in '69 and they were starting to do better.

Morris: Would you say that's because of the legislature's education job on him or the governor's office's own realization that--?

Monagan: Well, I think they realized that they had to do things differently; they had to work with the people who were there.

Morris: What did happen then in those early legislative leadership meetings in '67?

Monagan: Not a great deal.

Morris: Did they happen regularly?

Monagan: No, we'd have to force them. We'd have to practically demand to meet him.

Morris: Was it [on] a specific issue that you began to notice a change, or more a matter of time?

Monagan: Well, I think when they got down to some of the issues that-- and especially in '71, after we'd lost control of the legislature; then Reagan realized he had to work a lot with the Democrats and had to persuade the legislators to go along with the changes he wanted to make, the tax reform and welfare reform programs that he had in mind, and so he got very skillful at working on that kind of a compromise.

Morris: Yes. Okay. Why don't we stop there for today since you have another appointment.

Monagan: That's probably a good idea.

Morris: Thank you kindly.

[Interview 2: July 13, 1981]##

Morris: I came across a couple of notes that I think may relate to the comment you made in our last interview that, from the legislative point of view, there were difficulties in dealing with Governor Reagan's office. In 1967, apparently fairly early on, the Governor introduced seven tax bills, and you were quoted as saying that none of them were able to be passed. I wonder if you recall some of the details of that.

Monagan: Well, I don't know that I can recall any of the specific details, but the Governor, in line with what I talked about earlier, about not dealing with his friends in the legislature, had put together a tax program without great consultation with his Republican legislators. In order to get something like the tax bills he was talking about in most instances would have required a two-thirds vote, and it was going to be very difficult for us to get any of those tax bills passed. Democrats in the assembly, at that point, were looking to try to do everything they could to diminish Ronald Reagan's posture.

The background, of course, to that was that Ronald Reagan had talked about cutting the costs of government as part of his campaign, and yet the situation he faced when he got to be governor was that in spite of whatever cuts he

Monagan: might achieve, there still wasn't enough revenue to take care of the ongoing programs that had been built in in previous administrations. So there was a tremendous shortfall of revenues for the state, even with substantial cutbacks, and, of course, cutting back in sensitive program areas was difficult. Cutting back in education, for example, would have been very difficult for him. So it was necessary to raise some taxes, but he did that without consultation with his Republican friends in the legislature.

Morris: There was one session, I gather, that you did have with Phil Battaglia on the mental health program cuts; the Sacramento Bee reported that you walked out of the meeting, you and John Veneman. Was there something particular about the mental health program that--?

Monagan: Well, again, he was trying to do something without having brought people in early to develop their support. All of a sudden, in this particular instance (I was the leader for the Republicans in the assembly, and Jack Veneman was one of our key Republican leaders in terms of health care issues) here both of us were sitting with mental hospitals in our districts, without having been given a chance to discuss how we'd go about those programs.

This, again, was part of what we have discussed earlier. Phil Battaglia was an outsider brought in by the Governor, with no familiarity with what the legislature was all about and how to deal with it, and he wasn't dealing with it in a very satisfactory way from our perspective.

Morris: He'd had no experience in government? .

Monagan: No, he was a lawyer in Los Angeles who had worked on the Governor's campaign and was a bright and able person but didn't know many of the legislators and didn't know the legislative process and wasn't skilled or knowledgeable about how to go about putting together legislative programs. They were just, in a sense, trying to ram things through without putting together the necessary pieces to build up support for programs.

Morris: You mentioned that you felt that Governor Reagan did change a lot in his dealings with the legislature. Was there one particular turning point?

Monagan: No, I think it was just sort of a learning curve for him. He was an outsider to government, and most of the people that he brought in early on in his administration were outsiders to the governmental process. They contributed many good things, but they also found that you have to have some people who know how to deal with the legislative process and what it was all about.

So they began to make some changes after the first year or so. The Governor became more aware of his need to develop relationships with the legislators and after a period of time became very skillful at doing that, and he brought in some people. Phil Battaglia was his first executive secretary. Eventually Bill Clark came in in that capacity at a later date [August, 1967], and Ed Meese was brought into the administration at a later date [November, 1968], and those people were very good at dealing with that.

Morris: How about George Steffes?

Monagan: Well, George Steffes was a very capable legislative liaison person for the Governor and he worked very well with the legislature. Before that there was another person, Lindsey, who got along with the legislators very well. He had the personality and the ability to come up and work with the legislators, and George Steffes followed after Lindsey in that job and did very well with it too. Steffes came on after the Governor had started to make a lot of changes and began to reach accommodations with legislators.

Morris: It sounds as if your view was that maybe people at the next echelon up in the governor's office were more important in beginning to turn things around, Mr. Clark and Mr. Meese.

Monagan: Well, they began to be the key people with the Governor. They were his chief staff positions and they got along with the legislators very well.

Morris: So from your view--am I right?--a legislative liaison person is kind of a go-between. He's passing on the governor's ideas, rather than--

Monagan: Right. That's right. And he's supposed to be the one who can reflect back to the governor's office what he's feeling by his day-to-day contacts with legislators. He develops a relationship of working with them on a continuing basis, and he also has

Monagan: a responsibility of pursuing the governor's programs and objectives, and he's trying to figure out the ways to accomplish that.

Morris: Did you and other Republican leaders sit down with, say, Lindsey or Steffes and--

Monagan: Oh, they were in our office frequently.

Morris: --tell them what your problems were?

Monagan: Sure. We could speak frankly with them. They built up confidence with the legislators and felt that they could speak frankly to them and could trust them, and that was a key part of all of it, [to] have some people you could trust.

## V A BIPARTISAN APPROACH TO THE SPEAKERSHIP, 1969-70

Unexpected Republican Majority

Morris: Did your selection as speaker have a noticeable impact, do you think, on relations with the governor's office in terms of the legislature as a whole?

Monagan: It was just about at the turning point when I got to be speaker. He'd been governor for two years. This was the second two years of his first term. We obviously could do a lot more in that second term because we had a narrow majority and we controlled the speaker's office, which was extremely important. So we could do a few more things, and they began to recognize that by working with us they could get a lot more accomplished.

Morris: When the 1969 legislature met and there was that narrow Republican majority, were there other candidates besides yourself for the speaker's spot?

Monagan: No. We hadn't really anticipated that we were going to get a majority in that '68 election.

Morris: Really?

Monagan: We had hoped that we might, but there hadn't been any real planning that we were going to have enough votes to elect a Republican speaker. As a matter of fact, the long-range plan--and we have talked about that, I think, in our earlier discussions about Gaylord Parkinson's Cal Plan.

Morris: Yes.

Monagan: The idea was to try to get the majority by 1970 because then the Republicans could control reapportionment, so the goal was to hopefully get a majority by '70. Well, all of a sudden, we picked up enough seats in the '68 election so that we arrived in January of '69 with forty-one votes versus thirty-nine for the Democrats.

Morris: Well, you knew in November that you would have a majority.

Monagan: Sure. On the night of the election we knew that. Having been the minority leader for the previous period of time, well, then I just--everybody kind of assumed I was going to be the speaker, so there really wasn't any contest on the Republican side as to who was going to be speaker.

Morris: And the Democrats quietly sat there and let the Republicans--?

Monagan: Well, they were stunned. Jesse Unruh had been the speaker for a long time, and the Democrats were stunned that they had lost the majority, and there wasn't much that they could do about it at that time. We did have forty-one votes and that was all that was necessary to elect the speaker.

Morris: [chuckles] In that election, had you worked closely with the Cal Plan at all? Could you identify why the Republicans did so well?

Monagan: It was, in part, the foundation that had been built over the previous five years with the Cal Plan and the party; and secondly, it was a continuing erosion of the advantages that the Democrats had built into the districts from 1961 reapportionment. They had, in a sense, gerrymandered and had structured them to their advantage at the time, but that began to erode as people moved from urban areas to suburban areas, and so that was a factor.

The Republicans by a natural process were gaining strength, and we were capitalizing on it with the Cal Plan, and we had a Republican governor elected the previous two years, and he was helpful in going out and campaigning for candidates. More important than that was his ability to raise money for them, so there was sufficient money to run good campaigns.

Morris: So most of the funding came through the Reagan organization rather than through the Republican caucus or--?

Monagan: No, not most of it, but he was helpful in that regard. He could go to a fund-raiser for a candidate, and his appearance would bring out a lot of people.

Morris: Was there a Republican legislative elections organization?

Monagan: Yes.

Morris: And he would come to work with your fund-raising apparatus?

Monagan: Yes, and also an individual candidate would invite him to come to their district for a fund-raiser, and his name was magic in attracting funds, as it still is. He's very good at getting people to part with their money for political reasons.

Morris: [chuckles] Did you have any role in determining which districts he'd be asked to [appear in]?

Monagan: Oh, pretty much so, yes. We had all our target districts worked out, and they were aware of where they were, and we would either ask him to come or we would reinforce an invitation that he had gotten directly from someone.

So, although we were hoping for the best, no one really had said, "Well, it's a lead-pipe cinch we're going to come up with a majority vote after this election, so we'd better prepare for the speakership." We hadn't really prepared for it.

#### Further Legislative Professionalization

Morris: Going back to getting to be speaker, was it a strange situation to have Jesse Unruh still in the legislature and, in effect, be taking over his leadership role? Was he a factor at all? How do you relate in a situation like that?

Monagan: Well, that is a problem, and I confronted that problem myself because I was speaker, and then we suddenly lost the majority and I no longer was the speaker, but I was still a member of the legislature. In the case of Jesse Unruh, his schedule had been to be in a position to run for governor--

Morris: As speaker?



Monagan: As speaker, which would have been a much better platform for him, but all of a sudden he was the minority leader instead of the speaker. He did spend most of his time getting ready to run for governor. He did run for governor in the next election. So, although he stayed as the minority leader, he really didn't take an active role in the legislative side of things, except where he could make good publicity out of it for his run at the governorship.

Morris: Would you have gone and talked to him at all about being speaker, or would he have offered any advice?

Monagan: No, not really. We'd had a good personal working relationship in terms of operating the legislature when I had been the minority leader and he the speaker, and we'd been through a lot of things. We worked together on upgrading the legislative process, and changing to a two-year session of the legislature, and building in some staff in the legislature, and raising the pay of the legislators. We'd worked very closely on a lot of those projects, so we had a pleasant working relationship as it related to just running the assembly.

Morris: How would you say your approach to being speaker differed from Unruh's?

Monagan: Well, principally because he always had a substantial majority to work with in his own party, so he had to approach it from that perspective, where our majority was so razor thin and nonexistent for part of the time. So it was a very delicate thing to keep things going. I had to use whatever skills that I had, along with the support I had in the Republican side, to always try to maintain enough support from Democrats so that you could get something done.

Morris: So it sounds as if your speakership was kind of run on a bipartisan basis or on a nonpartisan basis.

Monagan: Well, we probably were more partisan because we did have a Republican governor to work with, and thus by staying together we could accomplish a lot, and we knew that we could get the support of the Governor on issues, where Jesse Unruh in his last two years as speaker, even though he had a majority in the assembly, was confronted with a Republican governor who would veto a lot of their actions. So he had to approach it from a different basis.

Morris: Yes. One of the things, I gather, that you were interested in was this matter of governors' vetoes. There had been a veto session established by an earlier amendment, I guess, and that was one of the things that you wanted to do away with. Did the veto session cause the legislature a particular problem?

Monagan: No. We had advocated (and Jesse Unruh was the leader in that) a change in the constitution so that there wouldn't be any period of time when the governor could veto measures without the legislature having an opportunity to override them. Previous to that constitutional change, the legislature could send a lot of bills down to the governor and then they'd adjourn and go home and never have any mechanism for being back to have an attempt to override a governor's veto.

So one of the things that didn't happen is that the legislature didn't override any of Governor Reagan's vetoes while I was in the legislature either as minority leader or speaker. Even though there were times when I disagreed perhaps with some of the things that he vetoed, I felt it was my responsibility to support the Governor, and so we never overrode any of his vetoes.

Morris: There was, I gather, an assortment of things that you did want to introduce. There was a conference on state legislatures had issued a report and made some recommendations. They made a national study and they had some recommendations about--I wasn't clear whether it was all legislatures or the California legislature in particular. They were recommending fewer committees, and that there be published rules committee procedures, and public access to committee reports and roll calls, better minority representation, and authors' statements of bill intent, and preparation of bill summaries.

Monagan: Well, those were things that--well, to begin with, Jesse Unruh was president of the Conference of State Legislative Leaders, and I also became president ultimately of that organization. So the things that, to Jesse's credit, he had been working on and I supported were the things you talked about. We got the national organization to begin to encourage other legislatures to do many of the things that we'd already done in California, so we were the leaders in that sense and not followers. We accomplished most of those things here and were hoping to persuade the rest of the legislatures that those were good ideas.

Morris: Was that conference a long-standing organization?

Monagan: No, it had been created in the '50s, as I recall, the mid-'50s, and involved legislative leaders from the various states. They would meet a couple times a year and exchange ideas and information about what was happening in the legislatures and how they could improve. We embarked on a program of upgrading legislators.

It came about principally because the structure of things gave more power to the governor and the executive branch of government than to the legislative branch of government. It was our contention that at least they ought to be equal, and in order to be equal we had to have a lot of other things. We had to have staff resources. We had to have some research capacity. We had to have information systems. In previous years, you had to take at face value what the governor's Department of Finance would tell you. Well, we ultimately developed independent ability to look at issues.

Morris: So this conference is a kind of professional association?

Monagan: Yes.

Morris: And your feeling is that California had a leadership role in what the conference was recommending, rather than responding to what was recommended.

Monagan: Right, because we were so far out in front [of] almost all the other legislatures around the country in the things that were happening in terms of increasing salary for legislators, providing staff for them, developing changes in constitutions to give more authority to legislators vis-a-vis the executive branch.

Key Committee Assignments: Criminal Justice, Environmental Quality

Morris: The Western Political Quarterly, in talking about your era as speaker, commented that you had a more sympathetic committee structure than Mr. Unruh.\* Now, does this have to do with how the committees operated or how you went about appointing people to committees?

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\* "The 1968 Election in California", Frank H. Jonas and John L. Harmer, Western Political Quarterly 22, March 1969, p. 473.

Monagan: Well, it was probably that Unruh was able to dominate the assembly simply because he had a lot more support in his own party. He started out with [pauses to recall number] fifty-two Democrats, where we started out with forty-one Republicans, so I had to balance the committees somewhat in order to get things done. I needed a lot of support from Democrats as committee chairmen and tried to be sympathetic to Democrats in terms of the committees they wanted to be on because I just had to simply play with a very narrow majority and that was one way to do it.

And I think that my basic philosophy was a sense of fairness, not that Mr. Unruh was unfair, but he had a rather dominating point of view, a philosophy about that, and he structured the committees sort of in his own image in that regard. I thought we ought to give everybody a fair play.

The historic benchmark in all of that is the Criminal Justice Committee in the assembly, and they're going through the same problems right today. How you structure the Criminal Justice Committee determines whether or not anti-crime or-- nobody's pro-crime, but people who are more liberal in their attitudes towards criminal justice--

Morris: A sociological rather than a hard-line approach?

Monagan: Well, all those bills would get to Criminal Justice and they were pretty well locked up by Mr. Unruh. What I did was to balance the committee, and then I put a chairman in who was a middle-roader, so he turned out to be the person who would decide basically whether the bills got out of committee or not.

I got a lot of criticism from conservative Republicans in that regard, but I felt that there are a lot of nutty things that conservatives would like to pass out of there in terms of dealing with criminal justice, and I thought we had to have a balance. I was for stronger laws, but I still didn't want to see things come out that were advocated by some Republicans, so we had kind of a balanced committee. That sort of prevailed through all the other committee assignments.

Morris: Yes. Was Criminal Justice one that people were eager to serve on? Did you have a lot of applicants, as it were, for that committee?

Monagan: You have a lot of applicants from the Democrat side and the liberal side; they're very activist-minded in terms of that. But in those days there weren't as many Republican attorneys in the legislature, proportionately, as there are now, so there just weren't as many Republican attorneys to put on the committee after you had both the Judicial Committee and the Criminal Justice Committee to put Republicans on. We didn't have that many lawyers to go around. Unfortunately, the people on the Republican side that wanted to be on were hard-liners.

Morris: And the Democrats who wanted to be on were hard-line in the other direction?

Monagan: They wanted to be the other way. So it kind of balanced out where we had [a situation in which] the chairman was the swing vote.

Morris: Yes. Was that what you looked for in making your [decision]?

Monagan: Yes, I did that by design. We had to have somebody that would not kill everything but also wouldn't let everything out.

Morris: There was a fairly elaborate task force and study commission apparatus that Governor Reagan set up on this whole business of law enforcement [California Council on Criminal Justice]. Did the legislature have a similar kind of program, or were you drawing on the Governor's commission and its work?

Monagan: Well, we paid attention to it, but basically the legislature tends to ignore things that come from the governor, regardless of the party. They have their own ideas, they have their own committee studies, they have their own interim committee meetings, they listen to everybody, and they draw on their own ideas of what they want. So they would read things and be aware of what a governor's commission might do, and they'd pick out some things that they might want to go along with, but nobody was going to grab in toto a program of any governor and try to run it through the legislature in an area like that.

Morris: Let me turn over the tape, and then maybe we could talk a little bit about environmental quality, which is maybe another example of the same kind of thing.

##

Morris: [Was environmental quality] an emerging issue in the Reagan years, or was that something that you'd been concerned with since you came to the legislature?

Monagan: Well, it was emerging, but it had arrived. It arrived about the time I got to be speaker as a major issue demanding some attention from the legislature. I was suddenly thrust into that issue, not having been involved with it prior to that time, with the recognition that something had to be done.

So I created for the first time what we called a Select Committee on Environment. I didn't feel that we could deal with the issue through the normal committee process; there were too many facets to it that it did not lend itself to that kind of operation, and so I created the select committee. That's the first time we'd ever had select committees in the legislature. It was an idea that I had picked up from the congressional process.

So I made a select committee of committee chairmen. I made one Republican as chairman of that select committee. We had the chairmen from Local Government, Water Committee, Natural Resources and Wildlife Committee; and there were a couple of others that escape my memory at the moment. We brought the chairmen of those various committees together in a select committee, gave them some staff, and they pursued what would be the best legislative program that we could have. So they made recommendations about what legislation ought to be passed. They ultimately went back to the various committees where they belonged, but they were then part of that select committee program.

Morris: A state development plan had been authorized by the legislature as far back as '62, but it took six years to create it, and I gather that that, as it finally appeared, came out of the governor's office. Was that something that either led you partly to set up this committee or that had concerns in it--?

Monagan: What led me to do this was that every legislator or nearly every legislator was feeling the pressure to do something about the environment, and dozens and dozens of bills were introduced or planned to be introduced. They cut across so many different legislative disciplines that I felt the only way we could deal with the issue was to do it through the select committee process, and it worked very well.

Monagan: It worked very well, and we got some legislation passed. We got the first state environmental act passed. We never got into any problem until we got into the courts!

The Friends of Mammoth decision was a challenge to the legislation that we had passed; that came out of that select committee and was related primarily to environmental impact reports. It was the clear intent, it was my clear intent, it was the clear intent of the legislature when they passed the act, that it would apply to state projects, and that it was something that ought to be done, that it ought to be required to look at what impact a state project, a dam, a highway, or a redevelopment activity being built by the state would have on the environment, not to stop it necessarily but just call attention, have them examine, try to avoid any damage to the environment.

Morris: To provide for review measures before a difficulty arose.

Monagan: Yes. Right. Right. So when the case got to the courts--the Friends of Mammoth--the supreme court decision turned the whole thing around from what was legislative intent.

Morris: This is the federal or the state supreme court?

Monagan: The state supreme court. And [it] said that it applies to everything; it doesn't just apply to governmental activities, because you couldn't do anything almost without some kind of a governmental permit; and, secondly, that it gave them the full authority to stall and kill projects.

We didn't have that in mind when we talked about it, when we put it together.

#### Staffing Pro and Con; Statewide Planning

Morris: I came across a reference to a man named Al Lipson as the research director for that select committee study.

Monagan: Al Lipson was a staff person for the Republicans in the assembly; when I got to be speaker I selected him to be the director of the Assembly Office of Research.

Morris: I see. Then he was responsible for finding people to staff these committees?

Monagan: Not really. That wasn't his job. His function was to build the Assembly Office of Research into a function that would be effective and helpful to the legislature and pretty bipartisan in nature and not too politically oriented.

Staffing was one of my major mistakes when I was speaker. It was my belief in supporting Jesse Unruh's concept about staffing that there should be professional staff people on committees that do not necessarily change just because you have a Republican or a Democratic speaker, that they are professional, nonpartisan, or bipartisan, individuals. They were there for their competency in information and continuity to the committee.

Unfortunately, Mr. Unruh and his people had gotten a lot of people in staff positions that didn't follow that total concept. They were pretty partisan. Instead of firing a lot of them, I thought it was a test. This was the first time we'd ever had a change of speakership from one party to another since we had inaugurated all this staff concept, and I didn't want to destroy it, and so I said, "Okay. Basically these are professional people, and they're there, and we're going to keep them there." Well, it turned out that I should have fired some of them, and if I'd been elected speaker for a second term I would have.

Morris: You felt some of your ideas were being sandbagged?

Monagan: Yes. Right. Right.

Morris: By some of the committee staff?

Monagan: Right. They were not in the mold of people who were really basically bipartisan and not interested in the politics of the thing but just interested in the competency of doing their job.

There are still people over there in the legislature that were brought in by Unruh and who fell into that mold. They are really technically skilled people. Dave Doerr is the chief consultant for the Assembly Revenue and Taxation Committee and has been there for, well, fifteen years, I guess, something like that, and he fits the mold. No matter who was chairman, whether Republican or Democrat, who was speaker, he was there to give technical advice and counsel to the committee in that area.



Morris: Those are exempt positions, aren't they? They're not part of the state--?

Monagan: That's right. They're hired today and fired tomorrow if you want to.

Morris: And is there some kind of a screening process, or is it the judgment of the committee chair?

Monagan: No, it's generally the judgment of the committee chairman and the speaker.

Morris: That's an interesting kind of a development. It's sort of a special cadre within the system.

Monagan: Right. They've carried this to the absurd extreme now in the assembly with what happened in the last speakership fight [1981] and the demands by the Republicans that they wanted more staff people, so that there's too much staff over there now.

Morris: There was one report last year when they were gearing up for the current reapportionment that Democrats and Republicans should have separate staff on the reapportionment committee.

Monagan: Yes. What's developed now is that there are staff people on the committees for the majority and for the minority, and I don't believe in that concept. I believe in the original concept that they should be people that understand, [are] knowledgeable, and work with whomever happens to be the chairman or what party happens to be in power.

Morris: Going back to the environmental issue, one of the bills had to do with the Office of Planning. That seems to have been controversial all the way through: to develop an Office of State Planning and where it should be located. How does the governor's office respond when the legislature says, "The governor should have this function," which, I gather, was the original intent of AB 227, moving the Office of Planning out of the Department of Finance and into the governor's office?

Monagan: Yes.

Morris: And then, if you recall, as it ended up, it sounded like the legislature passed the bill in early 1970, but then the governor's office moved the planning function from the governor's office into the lieutenant governor's office.

Monagan: No.

Morris: No?

Monagan: I don't recall that they did that. I'm a little vague on that, but it may have been that Ronald Reagan was not that interested in planning. They had an aversion to the word "planning" anyway.

Morris: Why?

Monagan: Well, it goes back to all the controversy about regional planning, and conservatives were afraid that regional planning would destroy local government. That was kind of a buzz word, "planning," that was a negative factor for a lot of people in the Reagan administration early on. So they probably didn't want to--I don't recall it exactly, but they probably didn't want to have much to do with that. But we thought that's where it ought to be.

Morris: Yes. Well, does this planning concept, as it came out of your select committee, include physical planning as well as land use and environmental quality?

Monagan: Well, it was more based towards having a broader look at where California could grow and develop, where its best opportunities would be, and where it could do the least damage to the environment, where growth ought to occur, in a broader sense rather than being too specific.

Morris: So it's the balance between conservation and development.

Monagan: Right. Right.

Morris: That's very tricky.

Monagan: Right, yes. So we hoped that it would be dealt [with] in broad terms, that you wouldn't try to get down to where streets ought to be and highways located, but just in terms [of] where things could best fit into the pattern for the development of California.

Morris: And that this should be a responsibility of the governor's office?

Monagan: Right. Right.

Morris: And you didn't feel that he really liked that idea?

Monagan: No. And I think that governors have used it in different ways. Now, Jerry Brown's got a whole new criteria for use of his Office of Planning and Research over there. So it hasn't worked the way that was the original intent.

#### Problems with Medi-Cal and Welfare

Morris: Another issue that took a lot of attention and time while you were speaker was the business of Medi-Cal and welfare, both from the cost point of view and the program point of view. How did the legislature and the attorney general's office decide that there needed to be an investigation in 1969, that the situation needed more than just the normal legislative review conference?

Monagan: Well, it was a program that grew so rapidly that there weren't controls built into it, and the cost of the program was getting way out of hand. You then had an opportunity with a Republican governor to really try to examine the program. He had talked about all the fraud that there was in the program, and so there was a lot more sympathy towards having an investigation of the program.

Morris: Was the attorney general's investigation separate or concurrent with the legislature's or did they feed into each other?

Monagan: They were separate. They were pretty separate.

Morris: Were you satisfied with the legislation that came out of that investigation?

Monagan: No, but that's the best compromise that you could get in a divided legislature; and like a lot of things put together by a committee, they don't come out as attractive as you might like to see them.

Morris: The Governor was working on these things from his end through his agency secretariat. Would you have had much contact with those people?

- Monagan: I didn't. I didn't because I didn't get personally involved in those issues. Those were big issues, but I left that up to people like Jack Veneman, for one, and Bill Bagley, another, who were my key allies. They would dig into those kinds of issues and work on them, but I wouldn't have too much to do with them personally.
- Morris: So that as speaker your job was to be once removed from that so you could keep--?
- Monagan: It wasn't so much that. There were too many other things for me to do, and I was not an expert in those fields, and so I left it to other people who had good knowledge and background to deal with them.
- Morris: What did you concentrate on as speaker?
- Monagan: Well, I was a manager, that kind of thing. I wanted the place to run smoothly, things to be done on time, the work completed in an orderly manner. I think that probably my greatest strength was--I think some disinterested people would probably say that the place ran better when I was speaker than it did at other times. It ran very firmly when Jesse Unruh was speaker, but I had a little different approach to it. I concentrated on making sure the place ran; and the job got done; and things that the legislature was supposed to do, they did.
- Morris: Your concern was that the process worked well.
- Monagan: Right. Right.
- Morris: And you would be content with whatever worked out as a workable solution, rather than--
- Monagan: Right.
- Morris: It sounds as if your view is that Unruh was more concerned about what the product would be.
- Monagan: Right. Right.
- Morris: Your view is that you're not going to get a perfect solution anyway?
- Monagan: Right.

- Morris: Okay. Let's see. How about things like pesticides? Would this be something that you would have taken a particular interest in?
- Monagan: No. It wasn't a big issue in those days.
- Morris: I thought there were a couple of issues. One was a concern that field workers might become ill from working with pesticides.
- Monagan: Well, that came out a little later than that, actually. It hadn't really developed as a prime issue at that time.
- Morris: Okay. You mentioned the person you put in as the head of the Assembly Office of Research. Were there other staff people that you relied on particularly to keep things moving?
- Monagan: Well, the Assembly Office of Research was part of, really, getting information on issues and background materials and things, and Al Lipson was in charge of that. I, of course, had staff in my own immediate office as speaker that we relied upon heavily for helping to get things done.
- Morris: The assembly didn't feel the need of an administrative officer such as the senate had?
- Monagan: Well, they always had one. There's always been a chief administrative officer for the assembly, and that person actually functions for the Rules Committee of the assembly more so than he does for the speaker, and, again, that's an administrative role.
- Morris: Do you serve on the Rules Committee?
- Monagan: No, no. But it's a very important committee to the speaker, and so you obviously have a strong chairman of that committee. Since the parties elect their own people to serve on that committee, unlike all the rest of the committee appointments, the chairmanship of that committee is extremely important to the speaker, so he's got to appoint somebody that's totally loyal to him.
- Morris: But that person isn't elected? Or did you appoint the chairman out of those people that were elected?
- Monagan: No, you appoint the chairman. But then the Republicans in those days appointed three, and the Democrats appointed three, as the Rules Committee, and you got to appoint the chairman. So the chairman was key to the whole thing.

Morris: I see. Right. Did you have any dilemma about whom to appoint to that spot?

Monagan: No, other than that it's hard to find somebody who wants to work that hard in that kind of a role. That's almost a daily job. Unlike a lot of the other committees, that committee's meeting all the time and going through all the details of managing the fiscal affairs of the assembly and the operational activities, as well as considering some elements of legislation. So it was a very key committee.

Morris: Yes. Did you feel that there was any need for making changes in the rules?

Monagan: No, no. The rules were in pretty good shape by that time.

## VI PARTISAN RESPONSIBILITIES AND OBSERVATIONS

Continuous Election Process

Morris: How about in terms of your management role and responsibilities? How much time while speaker did you spend on party and election matters as opposed to keeping the legislature itself functioning?

Monagan: Well, of course, it would vary as you were in proximity to the next election date, so you do spend a lot of time on those matters. First of all, you're a representative of the party and a representative of the legislature, so you're out spending a lot of time on speaking engagements and appearances and meeting with groups, and that's an extremely important part of it. Then you do have to spend a lot of time when the party functions. You're a key partisan as far as the party is concerned, and you're always concerned about the next election, and you're looking for candidates and trying to raise money for the next election, and that process never stops.

Morris: It sometimes looks as if the next election starts the day after election day.

Monagan: It does. It really does.

Morris: You have to analyze what's just happened and--

Monagan: Yes. In fact, I've changed my mind about it over the years, that in terms of length of terms for legislators, I think two years is much too short a period of time for state legislators.

Morris: And Congress too?

Monagan: Well, I think we have to do that in Congress also, but I'm slightly reticent about the congressional things because they're so far removed from the people, when you talk about

- Monagan: California. It would be all right if you were in New York or Philadelphia or some place close to Washington, D.C., but the congressmen who come from California get out of touch with the people.
- Morris: Even with the miracles of modern communications and jet travel?
- Monagan: Right, right. Yes, they can get back there and get buried, especially those--and that turns out to be a strong majority of them--who are in safe districts. Either they're safe Democratic districts or safe Republican districts, so they don't have to worry about coming home. The ones who work the hardest in Congress are the ones who are in the marginal districts, and they spend a tremendous amount of time coming back to be in touch with their constituents, and that election day does loom important to them.
- Morris: Are congressional districts safer than assembly and state senate?
- Monagan: No, but there's the three thousand miles to consider. If you're in a safe Democratic district or a safe Republican district and you're in Washington, D.C., you're not going to come home very often. But when you're in Sacramento (we don't meet as long, and you can get home, and demands upon your time are greater in terms of people expecting you to be present in your districts), they just do have better communication with their constituents at the legislative level than they do on the congressional level.
- Morris: Was there any talk in the party caucuses about changing the length of assembly terms?
- Monagan: It wasn't a partisan thing. There were lots of suggestions over the years for changing the terms to six years for senators and four years for assemblymen, but those constitutional amendments never got anyplace.
- Morris: Did they even get on the ballot?
- Monagan: No, no.
- Morris: Any talk about if you lengthened the length of a term, whether or not there should be a limit on the number of terms?



Monagan: That issue never really came up during those times. There's a lot more talk now about--there's more talk in terms of congressional length of terms than there is on the legislative side, but there is a lot more conversation among people that maybe we ought to have some limitation. That's undemocratic.

Morris: They did it with the presidency, however.

Monagan: Right, right.

Morris: For probably political reasons. [chuckles]

Monagan: Right, right. And I've come around to that. I think there ought to be--maybe ten years is long enough for anybody to be in the legislature. We do get a lot of turnover in the legislature, though, by a natural process.

Morris: And yet, most of the people that were here ten years ago are not still in the legislature.

Monagan: Right. You get a lot of people who go back to Congress for twenty or twenty-five years, but you don't get very many that stay in the legislature, and there are a number of reasons for that. One, the assembly is sort of an entering level into the political process, and so those people run for the assembly, and then they run for the senate or they run for Congress, so there's a lot of turnover there. It's a very competitive level of politics, so there's just a lot of turnover there also for that reason.

Morris: How about what looks like a phenomenon that got started while you were in the legislature? You mentioned consultants who sometimes were political in mind rather than really professional. It seems that there are now a number of people now running for office who began as legislative staff.

Monagan: Right. I'm very disturbed about that. I think that's one of the problems with having too much staff in the legislature. We do have the situation now carried to the extreme, where we have an assemblyman whose only experience was being a staff person to another assemblyman whose only experience prior to that had been as a staff person to another legislator. So it's a third generation of people in who've never had any broadening experience out there, and I think that's bad. I think that gets too ingrained in the process.

Morris: Broadening experience? You mean, out there rubbing shoulders with voters?

Monagan: They got out of college, came here and worked in the legislature, and that's all they know. They don't know people. They don't know what the real world is all about. They never had to go out and do a profit and loss statement someplace else. They're not conversant with what real life is all about. And I think that's bad!

Morris: I see.

Monagan: I think we ought to have people in the legislature who've been teachers or in business or farmers or even housewives who've just been active in the community. We ought to have those kinds of people, not people whose only job is to be a professional legislator.

#### Minority and Youth Representation

Morris: Going back to the Conference on State Government, one of the things it mentioned was minority representation. As speaker, with your political hat on, was there anything you could do about that in terms of looking for potential candidates?

Monagan: Well, the issue wasn't as strong when I was speaker as it is now or as it developed in that. There was not that much agitation for it, talking in terms of the really important thing, which is reapportionment, in terms of how you get minority representation. We hadn't had the immense growth of the Chicanos in California that we've had in recent years. Blacks were misrepresented, but they were not as agitated. They were just getting agitated about that time, but there wasn't any great push for it.

Morris: How about the youth vote; how did you respond in a political sense to the fact that eighteen-year-olds became eligible to vote?

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Monagan: I urged them to become involved in the process. And what they did, a lot of them went out and got involved in the process. You now have people that are serving in the legislature of who I humorously (maybe some people don't accept it as humor) say, "The bomb-throwers of the '60s are now serving in the legislature."

Morris: Are they?

Monagan: Well, people who were on campuses in the mid-'60s are now serving in the legislature. They weren't bomb-throwers, but they were there during all the campus unrest. They were at least--

Morris: Activists?

Monagan: They were aware of what was going on. They had an understanding of what was happening on the campuses in those days, even though they might not have been participating.

Morris: Did Governor Reagan call on you to lend a hand in dealing with some of these campus riot situations?

Monagan: No, not particularly. Some people accused him of aggravating the situation, as being on the regents. That's one of the roles as speaker that I thoroughly enjoyed, being a member for those two years of the Board of Regents of the University of California, and having to be very careful about attending those meetings because every time that Ronald Reagan was going to show up, you could be sure there was going to be a big demonstration.

Morris: I see. So be careful not to attend them, or to be there?

Monagan: Well, be careful how you got there, through the back door, so you didn't have to go through all those crowds of rock-throwers and things, banner-wavers.

Morris: [chuckles] Did you have some liaison people that you relied on to tell you when things were going to heat up?

Monagan: Well, we had staff people in the legislature, the sergeant at arms' office and others, who were aware of those kinds of things and looked out for you in that regard.

#### Changes in Campaigning: Volunteers, the Right Wing

Morris: You mentioned the importance of volunteer organizations or volunteer individuals working in your own campaign. How about the Republican volunteer organizations and other groups? In addition to the activist students there were also some fairly strong conservative organizations that wanted to have input into the Republican party. How did you deal with that?

Monagan: Well, the official Republican party in California was very strong up until Ronald Reagan got elected governor, and then he proceeded to recreate that party in his own image, and it became a Ronald Reagan party structure and not a Republican party structure. I think that was very damaging to Republicans in the state. There were strong, effective organizations that had been in place for a long time, and he proceeded to set those up as--loyalty to Ronald Reagan was the criterion as to whether you were going to be in the official Republican party or not. So that was very damaging in the long run to the party, and they haven't recovered from that yet; it's still pretty splintered.

There developed some very strong conservative organizations at that time: United Republicans (UROC). The California Republican Assembly had been the, oh, kind of a moderating part of the party for a long time, so they could do things like endorse candidates, where the official party couldn't endorse candidates. So that was a product of that kind of thinking originally.

Morris: But then they had become very active in support of Barry Goldwater in '64.

Monagan: The UROC organization.

Morris: I thought that the California Republican Assembly--

Monagan: Well, I was thinking even more historically than that, that they'd started--

Morris: Yes, they go back to the Earl Warren era.

Monagan: They started because they needed an organization to endorse candidates because the party couldn't officially do that, and so it was very helpful in those days. Well, the CRA split off, and then it changed in nature. It became a right-wing organization and UROC was a right-wing organization.

Morris: And the Republican League?

Monagan: And the Republican League was a very nominally moderate part of the party, but they didn't have as many members as those other organizations.

Morris: Then there was the John Birch Society, which was not officially Republican, but I gather back in 1966 there was a big debate at the Republican state convention about whether or not to say something about the Birch Society, and you were on record as saying, "Let's leave them out of the platform."

Monagan: I probably did [say that] because I was avoiding the issue, if we could. There were those who wanted to really attack the John Birch Society and, of course, they had a lot of supporters for the society too in the Republican party--not a lot, but some. So it became a central issue, and we just avoided it, like Ronald Reagan did with his celebrated statement, when they endorsed him, that they were accepting his views; he wasn't accepting theirs.

Morris: That's a nice statesmanlike comment.

Monagan: Yes.

Morris: When you were speaker and concerned about the overall picture in elections, was the John Birch Society a factor to be considered?

Monagan: No, it really wasn't a factor at all.

Morris: Did you, in keeping tabs on things, see the volunteer organizations as something that should feed into the process of legislative campaigns?

Monagan: Unfortunately, they became a nuisance in the process in that there was no official party strength out there any more. It had been dissipated by either becoming part of Ronald Reagan's own campaign operation or they splintered off into the CRA and the UROC, and we tried to not create any great problems with those people, but we didn't work with them very closely. That pattern is true of both Republicans and Democrats, where the parties are less important in the political process now than they were fifteen years ago.

Morris: Did those splinter groups, if you want to call them that, drain off an appreciable amount of either money or workers?

Monagan: Well, in the early days they drew off some of the workers, but that became less and less important as the characteristics of campaigning changed, where there were big media campaigns and the direct-mail kind of operations eliminated the need for the

Monagan: volunteers, which is kind of unfortunate, but that's what happened in the political process. So you didn't need them as much. You didn't need the bodies there. The individual candidate in his district had to deal with it in an individual way so as not to antagonize those people, and you'd try to work with them, and you'd try to keep your lines of communication open a little bit.

Morris: The computers were beginning to build up and the mailing and the media. What does that do to the old political philosophy that you really need a person who knows people in all the districts under consideration to really know what goes on and who the people are to see and that kind of one-to-one political organization?

Monagan: Well, it's become less important. You don't depend upon power groups any more because there are so many power groups they neutralize each other, and so you try to deal with them in terms of not antagonizing them, but you don't really want to get involved with them either.

One of the reasons for the rise in campaign money is the fact that this is the only way that people can get involved in the political process now. If you go see your friendly neighbors and you want their support, you used to say, "Would you come down to the campaign headquarters and spend four hours a day and address envelopes and stuff them and carry leaflets around?" Well, you just don't do that much anymore.

You say to them, "The best way to campaign is to give us a \$10 check," and so that's one reason why there's more money flowing into it. It's not the only reason, but it is a factor because that's the only way you can get involved in the process, through your political action committee at your plant, or your office, or your neighborhood, or your group, or whatever it is, or the party. Send a check. That's all you get, appeals to send checks.

Morris: It seems that way.

Monagan: Yes, that's all it really is. That's unfortunate.

Reagan's 1968 Favorite Son Campaign

Morris: Did you get involved, in addition to legislative elections, in Mr. Reagan's favorite-son campaign in 1968?

Monagan: No. He had no legislators that I know of involved in that, Republican legislators. He was pretty much alone and we were not a part of that at all. That was one of the big problems we had with them in that '68 presidential election. We had about twenty Republican legislators [who] went back to Miami as delegates or alternates, and we kept hearing all these rumors that he was a favorite son, that he was going to be a candidate, and we didn't know what to do.\* There were a lot of people who wanted to support other candidates, but they also didn't want to go against their own governor.

So we demanded a meeting with him. I think there were about twenty-four of us in the room when we got him in for a quick lunch, the only time we could catch him, and we said, "Governor, all we want to know is whether you're a candidate or not. If you're a candidate, there are a lot of us [who] will go support you. But if you're not going to be a candidate, then a lot of them would like to go support some other candidates." They just wanted to know where he was going.

He said, "I am not a candidate." So we said, "Fine." He went out of that room, went into a delegation of another state, and told them he was a candidate.

Morris: On the same day?

Monagan: The same hour almost. That just destroyed a lot of his relationship with legislators right there.

Morris: Why do you suppose he would do that?

Monagan: I don't know. I'm just not sure.

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\* On the June 4, 1968, primary ballot, the single Republican delegation was listed "for Ronald Reagan."

- Morris: Traditionally, once the delegation is picked, I thought there were meetings of the whole delegation here in California before you went off to the convention.
- Monagan: There were meetings, but he wouldn't say he was a candidate, so there wasn't any reason to be pledged to him.
- Morris: Richard Nixon was actively a candidate at that point, I would assume.
- Monagan: Yes. And Rockefeller. There were a lot of options that people wanted to consider, and all they wanted to know was whether he was going to be a candidate or not. If he was going to be a candidate, most of them would have supported him without question.
- Morris: Who was chairman of that delegation?
- Monagan: [pauses to think] Hmm. I forget who was chairman of that one.
- Morris: Had you all been on the same list on the primary ballot, or were there some shifts around between the primary election vote and then the time of the campaign?
- Monagan: I don't follow that question too well.
- Morris: I understand that there is a list of delegates proposed, but then sometimes there are shifts between the time of the primary and the actual campaign.
- Monagan: Are you talking about delegates to the convention?
- Morris: I'm talking about delegates to the convention.
- Monagan: Oh, they have to be made up and be on the ballot in June.
- Morris: Right. But sometimes there are alternates, or sometimes there are others.
- Monagan: Well, there is a list of delegates, and then there is a list of alternates, and sometimes the alternates get moved up to be the permanent delegates, but there weren't many shifts in that regard. There wasn't any kind of a phenomenon of that. And we had input into the selection of a lot of those people on the delegation. We'd get to talk to Ronald Reagan a little bit about who ought to be on the delegation and push to get some



- Monagan: legislators that we wanted on there and some other people, and they [the governor's staff] would generally talk to you. Each [delegate] had to come from a congressional district, and so we were interested in the people that were going to be there from our own district as delegates.
- Morris: It was a favorite-son delegation that was elected in the primary?
- Monagan: Yes, but he said he wasn't a favorite son, you know.
- Morris: It was officially just an uncommitted delegation?
- Monagan: Yes, yes. And that was what we were trying to smoke out. We said, "Well, fine. If you're going to be a candidate, well, great! Just tell us you are." He said, "Well, I'm not a candidate. I'm not a candidate."
- Morris: Then as the convention went on, from your perception was there a lot of organization going on or pressure from people closer to Reagan to actually take that nomination? Was it a possibility, from your viewpoint?
- Monagan: Well, they thought it was a possibility, but they kind of destroyed a lot of the delegation by the manner in which they went about it, saying they weren't a candidate and then they were, and running around doing all kinds of things as if they were, and then telling people they weren't. It left everybody confused and disappointed; except there were a lot of people on the delegation that just were total Ronald Reagan supporters. They'd walk any plank for him, and that probably was the majority of them, but there were a lot of legislators left out in the cold.

#### Campaign Tactics and Personalities, 1968-72

- Morris: So what did you then do during the rest of the campaign?
- Monagan: We groused mostly.
- Morris: You groused?
- Monagan: Yes.

Morris: And--what is it?--"took a walk" is the statement in other settings?

Monagan: Right, right.

Morris: What kind of an impact did that have then when you got back here for the November campaign? Was there then a unified effort in terms of electing Mr. Nixon?

Monagan: Yes. There wasn't any problem about that.

But then we were still bitter at Ronald Reagan. But we did still want him around for the fund-raisers where he could help raise money for candidates.

Morris: [chuckles] And you still wanted him around then in 1970 for a run again as governor.

Monagan: Oh, sure, sure. Right.

Morris: In that campaign, wasn't a man named Tom Reed chairman of--?

Monagan: Tom Reed was probably the chairman of the delegation that time. Oh, he was the national committeeman. He was probably the national committeeman then.

Morris: And he'd been in the governor's office for a short time as appointments secretary in '67? Maybe three or four months.

Monagan: Oh, he was around for a while. He was always constantly on the scene someplace with Ronald Reagan.

Morris: The few articles I've read about him sound like his roots were in the East. Was he perceived as a local boy?

Monagan: Yes, he'd gotten identified--I'd never heard of him until the Ronald Reagan campaign came along. His family was from the East, a wealthy family from the East, but he was living in San Rafael, as I recall, at that time, then got involved in the Ronald Reagan campaign, and then he came up and worked around the governor's office in a couple of capacities.

Morris: Yes. He was part of the transition team?

Monagan: I think that's right. I'm not sure.

Morris: He turns up on the organizational chart as appointments secretary and that's fairly key.

Monagan: Yes.

Morris: Did he consult with you at all on appointments?

Monagan: No.

Morris: Did he listen if you--

Monagan: No. Hardly. No.

Morris: --had suggestions?

Monagan: No. That was the whole pattern during that period of time.

Morris: But he stayed around, and then he turns up as the chairman or co-chairman of this 1970 campaign.

Monagan: Right.

Morris: Is he a manager or an idea man or--?

Monagan: He's a money man, I think, most of anything, and was helpful in moving Ronald Reagan around. I know I went on one trip with him. He had his father's airplane. We took Ronald Reagan back East some place and to a couple of fund-raisers. He was always around providing services and attention and help and assistance to the Governor.

Morris: But not a policy strategy person?

Monagan: He was political strategy probably, not issues.

Morris: Was he knowledgeable about California?

Monagan: Oh, he was a very smart, able guy, yes.

Morris: Has he continued to be active in California?

Monagan: Well, no, he really kind of moved away. He moved down to Texas. Then he became deputy secretary of defense.

Morris: Air Force or something like that?

Monagan: Well, he was there first. Then he got to be--he was very closely allied with Clemens. Of course, Clemens was the secretary of defense, and then Clemens went on to be governor of Texas.

Morris: Then there was something in 1968 called the Committee for Greater California. Is that something that--?

Monagan: It doesn't ring any bells with me.

Morris: Okay. I was not clear, because in election years sometimes you get a great spate of committees of one sort and another.

Monagan: Yes, yes.

Morris: I wasn't sure if it related to some of this economic development.

Monagan: I don't recall that. It didn't make any impact on me, I guess.

Morris: Yes. In the 1970 campaign, you were a part of the Governor's advisory committee. How did that function?

Monagan: Just be on the list and hardly ever be consulted in the process.

Morris: I see. I came across some correspondence in which there seemed to be monthly meetings and a fair number of social events, and you seemed to be on the invitation list for those. I was wondering if they were informational meetings for people on the committee or if there was some strategy and planning.

Monagan: There wasn't any strategy or planning involved in that. That was just a show committee.

Morris: There was a technical advisory committee also. Would you get any contact with them?

Monagan: No. No, we weren't very close to them.

Morris: So they were sort of doing their own thing separately from the legislators.

Monagan: They always did. They always did. Right. They always did. Wouldn't hardly tell us what they were doing either.

Morris: Then you were a regional chairman.

Monagan: That was for Nixon.

Morris: In 1972.

Monagan: That's right. That was after we lost the majority, and I was back to being minority leader again. I was a little uncertain about what I was going to do then.

I decided I'd run for re-election in the hopes that we might get a majority in the election, although I wasn't very optimistic, and so I decided that I would work on Nixon's presidential election. I was one of four state chairmen. Thirty-six of the fifty-eight counties were my responsibility. They gave me all the--

Morris: But you were one of four?

Monagan: Right.

Morris: [laughter] What did the other three guys do?

Monagan: Well, one of them had Los Angeles, and one of them had the rest of southern California, and David Packard had the immediate Bay Area, and I had all the rest: all the valley and--

Morris: Up to the northern--?

Monagan: The northern--to the borders, yes.

Morris: That sounds fascinating. Did you each run your own show, or how did you all work together on--?

Monagan: Well, the others were principally fund-raisers, but I decided to work at it as an organizing thing. I went out and got chairmen appointed for every one of those counties and built up supporters in each of them and encouraged them to have activities. I made a Nixon-type pledge that I was going to visit every one of those thirty-six counties before the election; I only got to about thirty-two of them, but I spent a lot of time circulating around in those counties.

Morris: That sounds like a useful device just in terms of staying in touch with what's going on.

Monagan: Right. Yes, those were very good, very good, and would have been helpful to me personally if I had pursued some kind of statewide campaign some day. But instead I was disappointed that we didn't get a majority and, like Mr. Unruh, a former speaker sitting in the assembly is not a very enjoyable position.

## VII ONGOING ISSUES OF IMPORTANCE

Federal Policies on Transportation, Air Quality

- Monagan: Once you've been to the top, you might as well get out of there, so I decided to go back to Washington and I took an appointment with the administration back there.
- Morris: So you in effect worked in the Nixon administration after you got him re-elected.
- Monagan: Right.
- Morris: It sounds as if your function there was to stay in touch with local state government.
- Monagan: Well, I was the assistant secretary in the Department of Transportation for congressional and intergovernmental relations then. It was our job to deal with Congress and state and local government on transportation issues. That was a very interesting job. I found it very fascinating. I got involved in a couple of major public policy issues by virtue of being in that position. One of them was the big debate over whether you divert highway funds to mass transit.
- Morris: And what side of that did you come down on?
- Monagan: Well, we were on the side of diverting some of the highway funds for mass transit, and I philosophically agreed with that. That was the policy, but it was also I agreed with that. It's always been my contention that it's to the advantage of the highway user to get as many people off the highways as possible, so you ought to be willing to pay to get them off the highways.

Morris: Because if you get other people off the highways, then they won't need as much maintenance and that sort of thing and won't be as congested?

Monagan: Well, congestion and air pollution are the big issues.

Morris: Yes.

Monagan: And it's still true, it's basically true, that if we could-- and there isn't a place for mass transit everywhere, but there are a lot of ways it could be used. All we have to do is get 10 percent of the people out of their cars to solve our--well, then it was a gasoline problem as well, but safety and air pollution and congestion and everything else. The magnitude of the problem is not big in pure numbers, but it's getting people out of their cars, a percentage of them out of their cars.

Morris: Which 10 percent are you thinking of? [laughter]

Monagan: Well, that's the question. So if you aren't willing to be one of the 10 percent, then you ought to pay, subsidize other people to get out of their cars and into some other kind of transportation.

Morris: That's an interesting philosophical question: Is it better to get 10 percent out of their cars totally or everybody out of their vehicles 10 percent of the [time], you know, to cut back?

Monagan: Well, either one, but that second part of that equation doesn't necessarily get them out of their cars at the times you need to get them out of their cars, like when you're going to go to work and back.

Morris: Yes. Was the other policy issue air pollution?

Monagan: No. The other policy issue was the bankrupt railroads in the northeast part of the United States and how to restructure the whole railroad system back there. I was an integral part of the legislation to create Conrail and the United States Railroad Association to reduce the number of railroads operating in the northeast part of the United States.

Morris: Fascinating.

Monagan: It really was. I learned more about bankrupt railroads than I ever wanted to know! [chuckles] So we had the phenomenon of too many railroads servicing too few customers in the area. This

- Monagan: was a freight problem, not a passenger problem. No one could afford to build up maintenance of their equipment and their tracks to do the job, so the whole thing was deteriorating. Private enterprise couldn't do that job. You had to have government somehow come in and arbitrarily make some changes. That will be successful in the long run, but it was very interesting.
- Morris: There was a federal air quality standards act passed while you were there. I came across a couple of references to California wanting to have some meetings to suggest amendments to the legislation or to the regulations in Congress.
- Monagan: Well, the principle thrust from California on that was to be able to have tougher standards than the federal standards if they wanted to, and I supported that at that time, and now I find myself on the other side of the issue.
- Morris: Would you have had contact with Governor Reagan's office in that position, in the intergovernmental aspects of--?
- Monagan: We were talking with somebody who was the director of Transportation at the time. [pauses to try to remember name]
- Morris: Was there much visibility of the California governor's office then in Washington?
- Monagan: No, no, there was not.

#### Reapportionment

- Morris: Maybe we could wind up with a couple of things we haven't touched on. One is the 1970 reapportionment, and the other is--I don't know if as a legislative leader you would have gotten involved in some of the revision of judicial selection, which, I gather, was something that was of real concern to the governor's office. Was that something that the legislature--?
- Monagan: I never got involved in that and I don't recall very much about it. Reapportionment in '70, of course, was a very big issue-- [phrase lost when tape turned over]

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Monagan: Democrats controlled the legislature, but Ronald Reagan was still governor and could veto any reapportionment bill. We were working very hard to try to develop some kind of a compromise with the Democrats on reapportionment, hopeful that we could at least maintain some kind of a status quo in the numbers of the districts. We were making some progress in that regard until some of the hardliners on the Republican side stimulated Ronald Reagan to vetoing the bill, and so the whole issue did not get resolved, and the court ultimately did reapportionment.

Morris: Right. But there was a curious little incident in there where Lieutenant Governor [Ed] Reinecke called a reapportionment commission that was permitted under some 1926 constitutional amendment or something like that.

Monagan: Yes, there was a little play, and I've forgotten some of the details of that. There was a little play, but it didn't have any standing.

Morris: Well, that went to court too, and the court finally ruled that it didn't have any standing.

Monagan: Right, right.

Morris: But was that a kind of a pressure move on the legislature?

Monagan: Yes, as a threat of that, but no one really in the legislature took any great notice of it because they didn't think that it would stand up.

The more important thing was that Ronald Reagan was able to veto the bill, and then the court took over reapportionment and said, "Okay, we'll do it for you," and that didn't turn out to benefit the Republicans. There were Republicans in the legislature who felt that if they could work out the best compromise possible with the Democrats, the [Republican] party would be in the long run better off because there was no way that the Democrats could control the future growth patterns of the state and what would happen (although it might not help Republicans in the first election) they at least in future elections would do better, instead of having it being done by the court. The court just did material damage to Republican possibilities.

Morris: I thought one of the court's plans was very closely based on the legislative proposal that the governor had vetoed.

Monagan: Well, they had that to play with, and they got a master and said, "Sit down and draw us up a plan." So the master didn't have much time or expertise, and they just drew what things were together and put a plan out and gave it to the court, and the court said, "Fine. Go run on that." And that really turned out to be better for the Democrats than it did for the Republicans.

Morris: In what way?

Monagan: Well, the way the districts came out, it probably--the way it came out, it gave opportunities to Democrats to win more districts than they would have had we worked out a compromise plan.

Morris: You didn't feel that the court plan offered any compromise, that it was just an arbitrary thing?

Monagan: Right.

Morris: When you say you were hoping for a plan that would have long-range advantages to Republicans, were you working with some kind of demographic or economic projections?

Monagan: Well, it wasn't quite as sophisticated as it is now. The computers weren't as valuable a tool; they were still in a somewhat embryonic state as far as applying them to this kind of an exercise, and the dollar wasn't there, so it was a good guess as to what would happen in the state. Where growth was going to occur was pretty obvious to most people, not precise, but what was going to happen in the state. So you could draw lines based upon what the population was in 1970, but then you could look and say, "Well, in 1978 there's going to be growth out here, so these areas will be more Republican districts than they will be Democratic districts five years from now."

Morris: I can see the numbers. How do you predict that the growth in a given area is going to produce more Republican voters than Democratic?

Monagan: Oh, you could then probably more so than now, because people have tended to shift into nonparty kinds of people; they are independents or they don't care how they register. But in

Monagan: those days you could think of it in terms of [what] the patterns were; that if they became more suburban, if the growth was out of an urban area into a suburban area, the voting patterns would indicate that they'd be voting more Republican. And it still is basically true.

Morris: Even though some of those people who moved out might have been Democrats where they came from?

Monagan: Right. But they also were Democrats who got out of the situations they were in in urban areas and looked at things from a different standpoint. Economic things occurred. For example, a labor person who might have been in a traditionally urban area and moved out to a suburban area. He moved out to a suburban area and he became more affluent. He was paying property taxes and began to be thinking about sending his kids to college. So they became more conservative and they voted on those kinds of issues more pronouncedly.

Morris: What were the points about the first proposal that the Governor objected to?

Monagan: Well, it was just a threat to him. He thought that by threatening the veto he could force the Democrats to do more than they were willing to do in the legislature, and they didn't go along with that, so he vetoed the bill. There was also the thought that maybe the courts would be better than the legislature.

Morris: That's the first time that it actually ever did go to the courts.

Monagan: Right.

Morris: It looks as if in the '60s and '70s there began to be more recourse to the courts, that more legislation was challenged in the courts. Was that your sense? If so, what brought that on?

Monagan: [pauses to think] - I'm not sure that's factual. It could very well be. It might appear to be that there were more issues that got to the court.

Morris: Serrano-Priest, I guess, is the one that's been with us the longest.

Monagan: Well, there were more issues that got to the courts because the legislature could not respond to many of those issues, and so people would resort to the courts to try to resolve the problem. There were a lot of things that the court mandated based upon certain constitutional premises.

Morris: The legislature couldn't respond?

Monagan: Well, politically you couldn't figure out a way in that instance to give equal number of dollars to every child in the state. It just didn't come out that way. Politically you couldn't do that. So the courts in Serrano v. Priest said everybody ought to have about the same amount of dollars. They still haven't achieved that yet, in spite of that court decision, because you have to take it away from somebody to give it to somebody else, or put masses of new money into the program. In neither case were they able to resolve that. So we're still basically struggling with the premise that the court said there ought to be an equal amount of financial support for each child in education in California. We haven't achieved that yet. There's been a lot of progress, but we haven't achieved that.

#### Revenue Sharing

Morris: I think that covers most of my questions. You've been very patient and very informative. Are there some aspects of your work in the legislature or working with Ronald Reagan that I haven't thought to ask you about?

Monagan: I don't know. Somewhere in all the time we've spent I think we've covered most of them.

Morris: Okay. [looking through notes] I see one more question here. I don't know whether it makes more sense from your Department of Transportation aspect or legislator: the advantages and disadvantages of federal programs and funding at the state level. You know, this is something that's been debated to some extent, that some of the problems in state funding and administration are because of the federal regulations.

Monagan: Well, there's no question that we have a problem in that regard. I was an early advocate of federal revenue sharing and authored resolutions in the California legislature to encourage the Congress to do that. As a matter of fact, I was at Philadelphia in Independence Hall on the day that Nixon signed the Federal Revenue Sharing Act, because of my previous involvement in that. I felt that we could not actually stop the money from going back to Washington and keep it locally, which would be more ideally the way to do it; but there was an efficient revenue collection system through the federal income taxes and other parts of the

Monagan: federal tax structure, and then if we could get those monies allocated back to state and local government with freedom and flexibility to do some things with the money, that might be better, the better approach.

Unfortunately, it hasn't worked out that way because they've still got all the federal strings in the process. It has been some help, but even though it's flowed a lot of money back to state and local government from the federal treasury, they've been so inflexible about the manner in which they've been used that it's been a waste more than a help.

Morris: Then the revenue sharing program was added on to the existing federal subventions in health and welfare and education?

Monagan: That's right, that's right. Then they got involved in all the restrictions on minority hiring and how the money could be spent and all sorts of things, and it's especially true in education. Instead of giving them what I believe is a better approach, block grants, it didn't turn out that way. So the federal revenue sharing has gotten rather shaky.

But I do accept Reagan's concept, at least, of whatever money has to go back ought to be as free of restrictions as is possible to do without disturbing the end result. We did find out, however, from federal revenue sharing that you couldn't trust some of the local governments, state governments, about how they would use the dollars when they got there.

You had the examples of--oh, in programs like legal assistance, the Law Enforcement Assistance Act, you'd find local governments buying six police cars when they only had four policemen in the police department. So that got people wary, and they started adding strings to all the programs, and it kind of destroyed its effectiveness.

Morris: There was a major flap here in California that, I guess, Governor Reagan went to Washington to get some exemptions from some of the federal regulations because he was concerned about how the rural legal assistance people were operating.

Monagan: Yes.

Morris: I gather that he felt that there were political implications with the cases they picked.

Monagan: That's right, that's right.

Morris: Did the legislature get involved in that at all?

Monagan: No. They were kind of split on issues like that. You'd have a lot of people on one side of the question as well as the other, where Reagan felt very strongly about that.

But somehow or other, you just cannot--my experience in Washington in two different times has thoroughly convinced me that there's no way you can write a program up in Washington and have it apply to fifty states. You just can't do it. So if you want to collect money and you want to give it back to them in some formula, you should just give it back to them and say, "This is for education," or "This is for highways," and then, "Go build your highways."

Morris: But then how, at the local level, do you deal with the concern you expressed about six police cars for four policemen?

Monagan: Well, that's to be preferred [more] than to try to write it back there and say that you're going to have one police car for every four policemen, and then you'll find some areas where that's not the right formula because they've got a different set of circumstances: it's a rural area versus an urban area, you've got less ground to cover. You just can't write something to consider every conceivable element of the problem and apply it from Washington. So you've got to give them some flexibility, or else go back to what is the basic premise: don't take the money away from them in the first place.

Morris: I'll try to make this question the last one. From the legislature's point of view, how do you deal with that when cities and counties ask the same question? I gather that that's been a constant battle in California.

Monagan: That's right. That's one reason why I strongly opposed Proposition 13. It has made local government wards of the state by that process. Now, we needed to do something about property taxes, but that wasn't the way to do it, because now all of local government is in the pocket of the state. They're just up here as orphans to it, asking for money to bail them out. Well, we really need to give them the source. We needed some restrictions on what was happening on property taxes, but we should leave property taxes down at the local government and let them use it.

Morris: Were the city and county governmental organizations major voices in the state legislature when it came to discussing bills or expressing ideas?

Monagan: They were more important then than they are now, but they were still not tremendously important.

Morris: Even though the counties officially are the arm of the state?

Monagan: The organs of the state. Right, yes.

Morris: Well, I've run out of questions.

Monagan: Okay!

Morris: Thank you very much. I really appreciate your thought and energy.

Monagan: Well, I'm glad to help.

[End of Interview]

Transcriber: Marilyn White

Final Typist: John E. McPherson

## VIII REMEMBERING JOHN VENEMAN, 1982

[Robert Monagan kindly agreed to inclusion of the following brief remarks he made at the memorial service for former assemblyman John Veneman, held on April 13, 1982, at the Congregational Church in Modesto. Mr. Veneman had agreed to discuss his own experience in the state assembly in the Regional Oral History Office, and particularly his key role in the 1971 attempts to reform costly state welfare programs, but was unable to schedule an interview before his untimely death.]

Jack's sobriquet, "The Peach Farmer from Empire," for which he became known, of course, was a badge of honor in this community. But when he arrived in the Capitol City it was greeted with--if not question or derision at least with suspicion. It was thought that he would never create much of a stir.

It did not take long for that to be dispelled. Another distinguished Modestoan, Ralph Brown, who Jack succeeded, had been replaced as Speaker of the Assembly by Jess Unruh, who thought so little of Jack at that time that he wouldn't appoint him to any committees. Jack with the help of a small group--of which he was an immediate part--The Young Turks--won that confrontation.

As a penalty, he was appointed to do penance as a member of the lightly-regarded Assembly Committee on Health and Welfare. Unfortunately for the Speaker, but fortunately for all of us, it served as a springboard for Jack's talents, leading him to be one of our nation's top experts in these two critical public policy areas.

He brought to bear on all of his endeavors the same attributes he had learned from planting, irrigating, fertilizing, pruning and picking in the orchard. These peach-farmer experiences had enriched him with qualities of preparation, hard work, and perception, all of which he utilized in dealing with state and national problems with which he had immense responsibility.



Our loss is great but our sadness is tempered by our joyous association and memories of Jack. Our community, state and nation's loss of one of our outstanding citizens is also tempered by the great legacy of public service he has left. As huge as his personal contributions were, far more significant is the example and challenge for public service he has left for those who will follow.

Each of us had a different relationship with Jack. Mine was very close and very personal. We shared living accommodations in Sacramento during the years we served there together. It was my standard, in-public joke with him that he hadn't yet paid his share of the rent on our apartment.

Mine or his home away from home was each others'--Washington, Sacramento, Tracy, or Modesto--or wherever it was is where we hung our hats.

Other than my personal family, he was the closest person to me--more than a friend--he was like my brother.

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Berkeley, California

Government History Documentation Project  
Ronald Reagan Gubernatorial Era

Albert S. Rodda

SACRAMENTO SENATOR: STATE LEADERSHIP IN EDUCATION AND FINANCE

An Interview Conducted by  
Gabrielle Morris, Sarah Sharp  
1979-1981





ALBERT S. RODDA  
1977

*Photo by Bryan Patrick*



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## INTERVIEW HISTORY

One of California's most knowledgeable legislators in the complex field of state finance and education policy, Albert S. Rodda is an exceptionally pleasant and informative person to interview. By all reports, he has been equally conscientious and diligent in participating in the state senate's processes for over twenty years.

A teacher of history and government in Sacramento before his election in 1958, Senator Rodda was a valued advisor on the development of the Government History Documentation Project and helpful in securing legislative support for it in 1974. By the time arrangements were made for Rodda's own interview in 1979, sufficient interviewing had been conducted so that it was clear that there are inherent, perennially-divergent viewpoints on matters of public finance and equally strong and varied views on educational programs. These two issues regularly become inextricably entwined in developing the state's annual budget, in which education is a major item.

In the following interviews, Rodda sheds light on both budget-making and educational philosophy in the years from 1960 through 1980, culminating in a thoughtful analysis of SB 90 (1972), a landmark bill that managed to combine increased public-school funding with a significant response to public clamor for property tax relief. Along the way, the senator provides valuable commentary on governors Edmund G. (Pat) Brown and Ronald Reagan, whose contrasting views on schools and taxes underline the range of issues with which the legislature must deal. Rodda also touches on the leadership styles of such notable colleagues as Hugh Burns and Jesse Unruh.

Competing with education for legislative attention during Rodda's years in office were such major issues as water resources development and the environment, problems of local government, and broad concerns for civil liberties and personal freedom, all of which he addresses with thoughtful concern. He candidly notes that he did not consider himself one of the legislative inner circle. He did, however, rise to become chairman of the powerful Senate Finance Committee, undoubtedly in recognition of his personal integrity and unquestioned ability.

Unexpected bonuses in the narrative by this mild-mannered, professorial man are his accounts of dedicated political organizing in Sacramento County in the 1950s on behalf of the activist California Democratic Council and of the flowering of a strong religious belief which came to sustain him in times of stress.

Five interviews were recorded with Senator Rodda, between November 1979 and April 1981. His longtime secretary, Polly, and his veteran aide, Jack Watson, were helpful in providing background information and material from the senator's files for preparation of the interview outlines, which were sent to him in advance of recording sessions. The first three sessions were recorded in his busy office in the legislature, piled high with correspondence, reports, and legislation in the making. Rodda would interrupt the committee report or speech he was working on and take time to ask how the project was going. Then he would plunge into discussion of the day's interview topics, occasionally worrying that he was not explaining a complex issue clearly. The fourth session was recorded at his pleasant modest home in Sacramento after his unexpected defeat for re-election. Although still indignant at what appeared to be questionable tactics by his opponent, Rodda, good teacher that he is, astutely analyzed the administration of Ronald Reagan and its impact on the work of the legislature.

By the time of the fifth interview, Rodda had become executive director of the recently-established Commission on State Finance. This interview was conducted by Sarah Sharp, the project specialist on education issues, and focussed on such innovative ideas for education as countywide funding, vouchers, and collective bargaining for teachers, in addition to the later impact on the state budget of fiscal reforms mandated by the Jarvis-Gann initiative of 1978.

The edited transcript was sent to Rodda for review in sections. By late 1981 these had all been returned with careful clarifications noted and a few stylistic changes he preferred. Included in the text is a list of speeches and reports written by Mr. Rodda, copies of which he has donated to the project. Also available in The Bancroft Library is an untranscribed tape of an interview with Rodda on the state un-American activities committee, recorded in 1977 by James Rowland, then a graduate student in history and later an interviewer for the project. These materials provide further detail on subjects of particular interest to Rodda and, in conjunction with his interview, should be invaluable to scholars wishing to understand the California state senate in the mid-twentieth century.

Gabrielle Morris  
Interviewer-Editor

2 July 1982  
Regional Oral History Office  
486 The Bancroft Library  
University of California at Berkeley

## In The News

Sacramento Bee  
November 8, 1976

# State Sen. Albert S. Rodda

By LUCILLE CRESPO  
Bee Assistant Librarian

SEN. RANDOLPH Collier's surprising defeat in last week's election has an interesting sidelight: Sacramento's own Sen. Albert S. Rodda will now become the dean of the State Senate, its senior member.

Although the designation holds little or no power, Rodda is looked on with respect and affection by his fellow legislators and this in itself can hold some influence.

Born in Sacramento, July 12, 1912, Albert Stanley Rodda Jr. is the grandson of a minister who once served the Oak Park Methodist Church. His father was the Sacramento County auditor from 1946 to 1950. His mother, Kate Elizabeth Holliway Rodda, was a teacher.

WHEN RODDA was 7, his mother died of flu. His father later remarried and he and his older brother Richard were adopted by their stepmother Josephine.

As a boy, he played football in Curtis Park, delivered newspapers and worked in his uncle's drugstore. He went to Sutter Junior High School and in 1929 graduated from Sacramento High School. Rodda graduated from Stanford in 1933 as a Phi Beta Kappa. To help finance his way through college, he worked in an Italian restaurant and worked summers in a Sacramento box factory. In 1934, he took a teaching position at Grant Union High School where he met his future wife, Clarice R. Horgan, an English teacher. He left

Grant to return to Stanford for graduate work in 1938 and came back to Sacramento in 1940 to teach at Sacramento High School.

Rodda and Clarice Horgan were married in North



Sen Albert S. Rodda

Sacramento in 1941. They have two daughters and a son.

HE WENT INTO the Navy in 1943 and served in the Pacific area as an armed guard gunnery officer. Rodda left the Navy in 1946 and joined the faculty of Sacramento City College. In 1951, after 16 years of study and effort, he earned his PhD in history and economics from Stanford University.

Rodda was a registered Republican from 1946-1950 so he could support Earl Warren. But he changed his registration to Democratic because of U.S. Sen. Joseph McCarthy. And in 1952, when his friend John Moss ran for Congress, Rodda became a member of the Sacramento County Democratic Central Committee. He was its chairman from 1956 to 1958 when he was persuaded by friends to run in a special election for the State Senate seat of Earl Desmond, who had died in office. Rodda defeated Sacramento attorney Louis Desmond, the late senator's son, and two other Democrats. He has been re-elected ever since.

FAMILY LEGEND has it that Rodda's stepmother Josephine, a staunch Republican, voted for only one Democrat in her life — her son Al. His father, also a registered Republican, died in 1956 and did not see his son's political success.

In 1967, he retired from teaching and is a full-time legislator.

Rodda describes himself as a liberal Democrat and is chairman of the Senate Education Committee. He has authored legislation in broad aspects of education, his special interest.

Regarded as one of the most honest and modest members of the legislature, Rodda describes his basic philosophy: "A strong conviction with regard to majority rule has prompted me consistently to support public education, a free press, academic freedom and the right of dissent."



## I PERSONAL BACKGROUND, EDUCATION, AND POLITICAL INVOLVEMENT

[Interview 1: November 6, 1979]##

Political Interests of Family and Studies in Economics

Morris: Perhaps we could start with some personal background on yourself and how you came to be interested in government and history. You were born here in California?

Rodda: Right. I was born in Sacramento and attended the public schools, and then I attended Stanford University.

My father was in the auditor's office and for years [he was] the assistant county auditor. Then he ran for the office of auditor in 1946 and was elected and served until 1950, and my brother and I helped him in his campaign. Because of his involvement in county government and his affiliation with elected officials, I began at a very early age to have an awareness of politics. My father also was lobbyist for the County Auditors [Association] on a voluntary basis.

Morris: For the county auditors statewide?

Rodda: Of the state, yes. He used to audit, and used to lobby in the legislature, just provide information, and he knew quite a few people in state government. Occasionally we entertained them at home when I was a young man, and I became acquainted with them.

My brother was a political reporter for the [Sacramento] Bee, became the political editor, and so he was assigned to the capitol beat, and he kept me informed about developments.

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##This symbol indicates that a tape or a segment of a tape has begun or ended. For a guide to the tapes see page 170.

Rodda: Besides that, I was teaching American history at the high school level, and then at the community college level I taught Problems of Democracy, American History, Western Civilization, and Economic Principles. So, I had an orientation toward government and an interest in it.

Morris: How did you happen to decide to study history when you were a student at Stanford?

Rodda: Well, I first attended [Sacramento] City College--it was a junior college then--for two years. I have an A.B, M.A., and Ph.D. from Stanford. But in my freshman year, I studied philosophy, psychology, English literature, economics, and history, and I had some math. I was good in math, but I wasn't oriented toward that study. I, also, had some classes in science. But, as I studied, I concluded that perhaps I'd like to know more about history and economics, and my principal interest was in economics. So, I decided, when I went to Stanford, that I would become a teacher, but I decided to major in history because I thought that I would only be able to find employment at the high school level and that there was little opportunity to teach economics at the high school level.

Morris: What was it that appealed to you about economics, now that you're chairman of the [Senate] Finance Committee? [chuckles]

Rodda: [chuckles] I don't know. I was very much interested in the economic conditions which confronted the nation. I was familiar with the collapse of the stock market in 1929. I was aware of the fact that some of the friends of my father almost experienced bankruptcy because they were heavily invested. They had purchased stocks on margin, had unusual profits, and then, within forty-eight hours, they had unusual losses. Besides that, I watched the Depression develop and observed its effect upon the economy. I was a student in the university at that time, graduating with an A.B. in 1933.

It seemed to me that if one were going to contribute academically and as a teacher or instructor in the field of the social sciences, a very important area would be economics and related to that, of course, American history. But, beyond that, I just enjoyed the study of economics. I guess I enjoyed it because I liked, to a certain extent, the logic of it. Maybe it's no longer logical, but I thought it was then. It had an element of logic in it, trying to understand the basic principles which govern economic behavior, so appropriate courses of action to direct the economy and achieve desirable economic goals could be implemented.

Morris: I was wondering if these were the Keynesian theories that were--

Rodda: Well, I became familiar with Keynes in 1938. I completed my M.A. in '34; my thesis was, "The Commerce of Colonial Rhode Island." After that I taught four years, paid off my debts to Stanford University for my tuition, saved some money, and returned to Stanford in '38 and '40 to do graduate work. Having studied Spanish for my Master's, I studied German and French for my doctorate, and enrolled in an advanced course in economic theory for two years. I became familiar with the writings of Keynes at that time.

His work was published, as I recall, either in '37 or '36, and my graduate theory course began in '38. I became very much interested in his ideas, which, of course, have been significantly modified since then. I thought that there was a significant element of validity in what he was arguing. His basic contention was that a free market could easily lead to a situation in which there was a stable economy, but at a level of employment below full employment, which was contrary to the thinking of those who were advocating the free market, basically a laissez-faire concept. It was their contention that if the economy were a competitive economy, insofar as supply and demand are concerned, the forces of the marketplace would provide that the economy would generally tend to stabilize toward a level of full employment. I thought Keynes was more realistic in his conclusions, so I became somewhat interested in Keynesian economics.

I finally wrote my doctoral dissertation on "The Economic Mind of Eighteenth Century Colonial America."

I pursued a major in history although I was oriented toward economics, because I hoped to teach at the junior college level. I did not think I had the qualifications to teach at the university level, but I did think that I had the qualifications to teach at the community college level or perhaps at a state college. That's my academic background.

I began teaching economics when I started teaching at Grant Union [High School] in 1934 and introduced a course in economics at the senior grade level. The curriculum lacked one until I made the change.

I didn't complete my doctorate until after the war. I studied during '38 and '40 at Stanford, took the oral and written exams, passed the language tests, and then began my dissertation research. I ran out of money; so, I had to return to teaching. That was 1940. I obtained a job at Sacramento High School, moving from Grant to Sacramento High School, paid off the new debts that I had incurred, and married in 1941. My wife and I had a child.

Rodda: The war developed in '41 and in '43 I volunteered for service. I became a reserve gunnery officer in the U.S. Navy and I spent thirty months in the service, most of that time overseas in the Pacific. We had two more children.

When I returned from the war, I continued my research on the doctorate at the University of California, the California State Library, Stanford University, and the Huntington Library. The dissertation was not finished, however, until 1951, because I was assigned to Sacramento Junior College in 1946. Since I was teaching at the college level, '46 through '51, it was difficult for me to write the dissertation. I was teaching full time at the junior college, part time at Sacramento State College, summer school classes at the junior college, and also working on a dissertation. [laughter]

Morris: And with a houseful of young children. [laughter]

Rodda: Three children. I don't know how we did it. When I read the dissertation now, I wonder how I ever wrote it.

But anyway, when I returned to teaching after the war, at the college level, the concepts of Keynes were incorporated in the basic or introductory textbooks.

Morris: And they were the major thrust, weren't they, of college teaching?

Rodda: Right. As a matter of fact, Econ IA was quite different from what it was prior to Keynes. Econ IA was known as micro economics and Econ IB as macro or national economics--we sometimes described it as aggregate economics. We used a book written by Paul Samuelson in the course I was teaching at Sacramento Junior College.

Morris: Had he been one of the texts when you were a student yourself earlier?

Rodda: No, the concepts of Keynes were not incorporated in the basic or even the advanced econ texts.

Morris: I was thinking of Paul Samuelson.

Rodda: Oh, no.

Morris: Because he is still a standard college text.

Rodda: Right. His textbook is still selling. I guess he has sold millions of them and, naturally, made a fortune.

When I was a student at Stanford and working on my A.B. in '33 and finally my Master's in '34--I can't even remember the names of the texts we used--it was prior to Keynes' publication of his work.



Rodda: Subsequently, I studied Keynes at Stanford as a graduate student, when I was enrolled in the course in graduate economic theory and studied the original work of Keynes. He was one of the many economists whose concepts we studied. Two others were John Hicks and Joan Robinson.

So, it wasn't until, as I recall, the middle '40s that the work of Keynes was introduced into the basic texts for the purpose of instruction in beginning economics. We never used his book at the community college level.

Morris: But it was one of the theories that were taught?

Rodda: Oh, yes. Since his ideas had been incorporated into economics in the middle '40s, the students had an opportunity to learn macro economics or aggregate economics as originally developed by Keynes and subsequently modified by other writers.

#### John Moss's Campaign for Congress, 1952

Rodda: Then, of course, when I finished my dissertation in '51, I had more free time. John Moss was running for Congress. He was a California assemblyman at that time and had been in the assembly for four years. Reapportionment occurred in 1951 and John ran for Congress in '52. I wrote two speeches for him, one on agricultural economics, which he delivered in Marysville, and one on international affairs, which he delivered at Davis. His district then consisted of six counties--Sacramento, Yolo, Yuba, Sutter, Glenn, and Colusa.

Morris: Was he a friend of your father's? Is that how you got acquainted with him?

Rodda: No, I met him through a faculty associate of mine, a college instructor, Carson Sheets. Carson Sheets and Moss had been active in the Young Democrats in the '30s. That's when I was at Stanford doing my graduate work.

Morris: Were you active in student politics at all?

Rodda: At Stanford?

Morris: Yes.

Rodda: No. I had to work and was not active in campus affairs. When I was a student, I hashed at a restaurant and washed the dishes. Once I exercised the Stanford polo ponies for two bits an hour. One of the

Rodda: riders was--oh, gosh, he was the son of a very distinguished American comic. I don't know how to describe him. [pauses, trying to remember name] Isn't it funny? I cannot think of his name. You would know it in a minute. [He's] from L.A., always making very interesting observations, especially comic or satirical comments about the contemporary scene.

Morris: Will Rogers, Jr.?

Rodda: Yes. He was on the Stanford polo team when I was exercising the horses. I used to have to take four at a time and walk up and down while they relaxed, climbed all over my feet and salivated on my back. I was paid two bits an hour. So, I quit.

Morris: [laughter] I can believe that, yes.

Rodda: I wasn't that much in need.

Morris: If you weren't a horse person yourself.

Rodda: Right. It was no joy.

When I returned to do my graduate work, I had a fellowship; it was \$400 per year, and I was a reader in courses in American history. One of the courses was [taught by] Tom Bailey who is still writing at Stanford and has published an outstanding book on American diplomacy. He also published an outstanding textbook on American history. You're probably familiar with Tom Bailey. He's still at the university and although retired continues to publish. But anyway, I had the benefit of that fellowship. I also read for Edgar Eugene Robinson, the dean of the history department.

Morris: In addition to being a student of economic theory, were you interested at all in Roosevelt's ideas and that national political upheaval?

Rodda: Yes, I was very sympathetic to Franklin Roosevelt. I regarded myself as a New Dealer. As a matter of fact, I was somewhat liberal, but I never became a socialist or a communist. I had two very close friends at Stanford University who were much more liberal than I. One was a socialist and could not understand why I could not accept socialism. The other one, who was an English major and now has a doctorate, became a communist and was active in the communist movement in the '30s. He could never understand why I could not become a communist. The socialist, who was active in the area of political science, was an utopian type of socialist. He was very idealistic and could not understand.

Rodda: I was reluctant to accept socialism or communism, especially communism, but I did think that we had to do something constructive through the intelligent use of the power of the state to direct the economy in order to better implement and achieve our national goals.

As a matter of fact, I have a paper here that I wrote to a friend of mine who is a Republican. He asked me for a definition of "liberalism," and I wrote him this paper. [indicating letter] You can have a copy if you'd like.

Morris: I'd like it, because I think that's one of the more interesting debates going on now in the '70s: what is a liberal?

Rodda: Right. I answered the question by saying, "I don't know." It's kind of interesting. He's a conservative Republican. [reading from letter] "Frankly, I'm convinced that the conservative view, if persisted in, can only promote the destruction of the environment, greater economic inequality and social injustice. The outcome of persistent implementation of conservatism [is that] we will assuredly be a society which would no longer remain dedicated to the economic and legal principles of this country. I've always been inclined to sympathize and identify with 'liberal,' and yet, as I become more and more aware of the dilemma of contemporary man, I wonder whether the liberal, given his basic assumptions about man, has the capability of responding to challenge." That's what I ended with.

But anyway--I do not know where I was in our interview.

Morris: I was asking you about working for John Moss.

Rodda: Oh, yes. I had an inclination toward liberalism and I identified with the New Deal of Franklin Delano Roosevelt. So, I was sympathetic to John Moss's campaign. I have the paper I wrote on foreign policy, which he delivered at Davis.

John did not have the academic background that I had. As a matter of fact, he attended Sacramento Junior College, but did not acquire a college degree. He was a close friend of Carson Sheets, who, as I stated, was a faculty associate of mine at the junior college.

Carson ran in 1948 for Congress, and that was the year John Moss ran for the assembly. Sheets was beaten. Moss won. Four years later, Moss ran for Congress. Carson and I helped Moss with his publicity, and I wrote the two speeches. As I commented the one he delivered in Marysville was on agricultural economics, and the other at Davis was on international affairs.

Morris: Did he give you your head and just say, "I need to know something about foreign policy?"

Rodda: Well, yes. What he wanted was an academic statement that he could make as a preface to a period of questions and answers which were to follow. Of course, given my academic background, I was somewhat qualified to write a paper. Because John, when speaking in Marysville, was talking primarily to people who were interested in various forms of agriculture--production and marketing--and in Davis he was talking to the academic community, among whom there was very much interest in foreign policy, John desired the two different papers.

Morris: That must have been kind of a feather in your cap as a young man to launch a congressman on his path.

Rodda: Oh, I don't know. I didn't think much about that. [laughter] It was just a job. I was also working on daily press releases for the congressman and this seemed a natural extension of that activity.

Morris: You and Mr. Sheets were paid staff?

Rodda: Oh, no. We were volunteers. In those days, TV was not as important as it is now, nor was radio. The principal means of gaining access to the public was through voluntary precinct work and through newspaper releases and advertising.

I'll hurry along here. I'm spending too much time on this background.

Morris: No, that's okay.

#### Reorganizing Sacramento Democratic Activities

Rodda: While John was campaigning, he asked me to run for the Sacramento County Democratic Central Committee. I just filed my papers and was elected. Of course, my family's name was known because my father had been an elected official in '46 and had retired as county auditor in 1950. The congressional election was in '52, just two years later. So then I became active in the central committee.

The Democratic central committee in Sacramento County was not, in John's opinion (Congressman Moss's opinion) or my opinion, really working in the interest of the Democratic party. It was controlled by a group in Sacramento, the members of which, in our opinion, were utilizing their influence in the party and their role in the party for personal economic advantage. They were largely attorneys. So, they gained publicity and attention and recognition, but they did very little to assist Democratic candidates. As a consequence, in this area, basically Democratic, we were inclined to elect Republicans.

Morris: In other words, Sacramento County had high Democratic registration?

Rodda: Yes. It was a Democratic registration area and the state senator at that time, before reapportionment, represented the entire county. The population in 1946, when my father ran, was almost 245,000. That figure provides some idea of the growth of the county since that time.

Morris: The city of Sacramento is now about 240,000.

Rodda: Yes, and the county must be around 800,000, in round figures.

I did succeed in helping bring about the reorganization of the Democratic party. In doing so, I led a group of rebels. They were people who were very interested in government and politics. They were educated people and they were liberal in political philosophy.

Morris: Where had you found them?

Rodda: Well, just through my involvement in politics in the Moss campaign. It took a little time to accomplish the change, and it wasn't the most pleasant experience for me.

My wife helped reorganize the Democratic Women's Club, which had been very active in Franklin Roosevelt's time and then had declined in its size and activity. The women in the women's club were mostly in their late sixties and seventies. My wife, Clarice, entered the organization in 1952 in her forties. I was in my forties. Clarice became involved with a number of younger women who also entered the women's club and then made it the outstanding political organization in the county.

Morris: Was it one Democratic Women's Club, or did they have local ones?

Rodda: It was for the entire county.

An interesting fact is, from 1946 to 1950 I was a registered Republican. I didn't think that the Democratic party was offering the voter worthy candidates, and since I was inclined to support the so-called progressive Republicans, I registered in that party.

Morris: Would you have been a Warren Republican?

Rodda: Yes, I was. As a matter of fact, I was concerned about the fact that his nomination for the governorship was being challenged in '46, as I recall, by a very conservative Republican. I desired to vote for Warren in the primary.

Morris: So, you became a Republican?

Rodda: Yes, I changed registration and remained as a Republican until '50.

U.S. Senator Alan Cranston organized the CDC [California Democratic Council] in, I believe it was, 1953, and my wife and I attended practically all of the CDC conventions in the fifties and sixties. I think the first state meeting was in Monterey and another one was held in Stockton in 1953, I believe. My wife attended one of those and I did not attend either. I think the one she attended was in Stockton.

Morris: Is your wife a Sacramento woman?

Rodda: She was born in Concord, but she came here in '33 to teach at Grant Union High School. I met her when I began teaching there.

Morris: What was her maiden name?

Rodda: Horgan. She is Irish and German. Her name is Clarice Roselle.

Morris: That is a pretty name.

Rodda: Yes. Not many women have it. I like it very much. [laughter]  
She was very active in her church and community affairs.

Morris: And you were both concerned about increasing participation in political activity?

Rodda: Right. Involving citizens and people who would contribute to the party and not use it, not exploit the party. And it was being exploited.

Morris: When you say "exploited," does this mean that the candidates were hand-picked and there were problems with finances?

Rodda: Well, the central committee was controlled by the chairman. I don't like to refer to persons, but he was a prominent local lawyer. The central committee had no constitution or by-laws, and a quorum, I think, was three.

Morris: Of three elected people?

Rodda: Yes, only three. And there were about twenty-one or twenty-three members in the central committee. Few members attended the meetings because the chairman could cast proxy votes and, thus, dominate the meetings. What happened was that the chairman solicited friends to run and become elected to the committee, and they just delivered their proxy to him; so when he came to a meeting he controlled seven or eight votes. So, decisions were a mockery of the process. The chairman usually had a small group of supporters at the meetings and with his seven or eight proxy votes they controlled eleven or

Rodda: twelve votes, which was a majority. So, when the committee officers were chosen, it was very easy for him merely to say, "You're vice-president. You're sergeant-at-arms. You're secretary. You're treasurer." And that was it--total control by the chairman and a few personal friends.

Morris: Was this still the procedure when you were first elected?

Rodda: Yes.

Morris: How did he respond to the appearance of a young rebel?

Rodda: Well, it was not too pleasant, as I indicated. Fortunately, by virtue of the interest that had developed in 1952 in the Democratic party--and Adlai Stevenson had significantly contributed to that, as had Congressman Moss--we elected eight or nine people to the central committee in 1952 who were interested in change.

Morris: Did you help encourage them to stand for election?

Rodda: I don't recall that fact. They were active and involved and there were more of them elected in 1954. Adlai Stevenson, for some reason or other, brought a lot of vitality to the Democratic party. He provided an inspirational leadership. And these activists were largely middle class, educated, idealistic, but realistic persons. It was a kind of a natural thing. And their interest in politics, I guess, developed for reasons similar to the development of my interest. They began to be active about the same time. John Moss inspired them, Stevenson inspired them, and as a result, a number of them ran for the central committee and were elected. A number of them were faculty members at Sacramento State College and some were faculty members at Sacramento Junior College. A number of them were local attorneys.

Morris: Was the state college growing as other institutions were in those years?

Rodda: Yes, right. It started on the city college campus, the junior college campus, in 1947. I can't recall when the present campus was opened, but it seems to me that by that time, 1952, it was operating on its own campus as a small state college. And some of the faculty were active in the area of economics and political science. I had become acquainted with them when they were on the junior college campus where I taught. I was also a part-time instructor at the state college.

So the first thing we did was get to work on a central committee constitution and by-laws to provide a reasonable parliamentary framework within which to function. Alan Cranston helped us as we proceeded to authorize local Democratic clubs.

Morris: You mean for the CDC?

Rodda: No. Cranston had drafted a constitution in Santa Clara for the authorization of local clubs and we used that document as a model for Sacramento County.

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Morris: Cranston developed the charter for implementation by the Santa Clara County Democratic Central Committee?

County Council and Democratic Clubs; Chairmanship of the County Central Committee

Rodda: Yes, which it approved. You see, such clubs were outside the statutes or the election code; so they had no official status insofar as state law was concerned. But the councils and the clubs affiliated with the county councils had status insofar as they operated under a charter which was approved by the local county central committee.

So, we organized, in the next two or three years, eight or nine clubs in this county. I helped organize one that was called the Business and Professional Democratic Club. My wife, as I've already indicated, was active in the Women's Club, which also affiliated with the county council. We also activated the Young Democrats Club, which was revived in the election of '52. We also helped organize Young Democrats clubs on the campuses of the two colleges. There was an inclination for young people then to be involved in traditional politics; so there were young Republican clubs and Democratic clubs. We also organized a Curtis Oaks Democratic Club, a Fruitridge Democratic Club, Town and Country Democratic Club, and several north area Democratic clubs. So, throughout the county different clubs came into existence.

Morris: That's fantastic.

Rodda: Each organization sent delegates to what was known as the county council, and there was a chairman of the council and council officers. So, we had a Democratic council and its affiliated clubs working cooperatively with the central committee. The central committee was not, under the law, permitted, however, to involve itself in primary endorsements. At that time, there was a need for this kind of an organization because the state had cross-filing, which meant that a candidate could run for the nomination for both parties. Incumbent legislators, for example, could file, if they were Republicans, as Democrats. If three or four Democrats filed, then the chances were that the Republican, who was well-known as an



Rodda: incumbent, would win the nomination of both parties and be elected in the primary. In order to strengthen the influence of the party, and strengthen and enhance the Democratic party in California, one of the purposes of the Council of Democratic Clubs within a county was to hold a county convention and endorse a Democratic candidate in the primary election. Such action could not be taken by the county central committee.

The expectation was that the club members, through their organization, would campaign for the nominee who was endorsed in the primary. In the general election the central committee would, working with the CDC (the Council of Democratic Clubs), support the party nominee in the general or run-off election. We had a very active CDC in Sacramento and it helped to enhance the influence of the party.

We ousted the old guard in '55, after a very difficult battle, and I became county chairman in '56. I served for two years. The reason that we were able to do that is interesting history. In the gubernatorial election in '54, there was a candidate for a municipal court judgeship, an incumbent, who was being challenged. The chairman of the central committee and some of his associates took advantage of the Democratic party headquarters where the Democratic clubs had prepared a mailer for distribution. Now, the mailer was in the form of the old-fashioned ballot. Do you remember those where you mark an "x," on a big sheet, opposite the candidate's name?

Morris: Yes.

Rodda: On the mailer we had identified each of the CDC-endorsed Democratic party candidates. It was the primary election.

Morris: In other words, you were giving people a slip to take to the polls to vote from.

Rodda: Right. Well, what the friends of the judge did was to enter the headquarters, with the cooperation of the chairman, the week-end before that mailer was distributed, and stamp an "x" opposite the name of the judge.

Morris: Good heavens!

Rodda: Those with whom I was associated were not involved. We did not think that political parties should be involved in nonpartisan races, and I continue to argue that central committees should not involve themselves in nonpartisan races.

Rodda: Well, I was terribly distressed. I was the co-chairman in the Third Congressional District at that time, that was the six-county district of Congressman Moss. So we complained. Well, the incident created such a furor in the Democratic party that it adversely affected the chairman. He was the third consecutive chairman of a group of individuals who had dominated the Democratic party for about twenty-five years. There had only been three chairmen during that twenty-five year period, which provided a kind of hereditary power structure, one might say. [chuckles] They had obviously established a political machine in Sacramento.

Morris: Was this frequent in county central committees?

Rodda: I cannot generalize about that. Certainly, however, it had become the modus operandi within this county. But the situation was rather unique because the local municipal court judge who was being challenged was identified with those people who controlled the central committee, and they decided to exploit the local CDC.

Morris: Right. Did the mailer get mailed?

Rodda: Yes, it was distributed. I am not sure whether we mailed it or hand distributed on a precinct door-to-door basis.

The party headquarters was located in the old Labor Temple. The building no longer exists. The friends of the judge just went into the headquarters and just stamped an "x" after his name. (I think it was on a Friday night.)

Well, that contributed to the defeat of the county central committee chairman, and in 1956 I became chairman. Since the chairman had been involved, we used that issue to remove him. The election was in 1954, and he was ousted in 1955.\* His successor was a member of the same group, but was less offensive and was regarded as a compromise. I was a noncompromise candidate, and I was chosen to lead the party in 1956.

Morris: Did you run for the job of chairman, or did you get elected to the committee and then they--?

Rodda: One is elected to the central committee and then one competes for the chairmanship.

Morris: The committee chooses its own chairman?

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\*See appendix for letter to the Sacramento Bee, January 1955.

Rodda: Yes. I was unanimously elected, except that my predecessor, Senator Earl Desmond, who was in the state senate representing Sacramento County, refused absolutely to vote for me. He stood on the floor, as I recall, when the motion to elect me was made and it was suggested that the vote be unanimous, and dogmatically stated that he would never vote for Al Rodda for anything and that he wanted it to be clear that he was registered as a "no" vote.

Morris: Oh, my! [laughter]

Rodda: [laughter] Earl and I had problems since he was very closely identified with the old power people; they were his allies and his supporters, you see.

Well, anyway, we did organize a council of Democratic clubs in this county and it became an effective political organization. As I indicated, I became chairman of the central committee in 1956, and I have a copy of the letter that I wrote to the attorney general at the time, asking him if he would please indicate what his intentions were with regard to the 1958 gubernatorial election. Those of us in the central committee wanted to know if he would be a candidate. That was in September of 1957. [pauses to think] I cannot recall the exact date. You know to whom I wrote it? Edmund Brown, Sr.

Morris: Yes.

Rodda: He was the one Democrat who was popular, but he was, I guess, acting as Ted [Edward M.] Kennedy has been acting for some time. He was waiting to make certain that there was enough support for him.

Morris: Do you recall any rumors that in 1954 he would have run if he decided that Goodwin Knight could be beaten?

Rodda: I wasn't close enough then to Pat Brown to know, really. I was only active in the Sacramento County Central Committee.

But I do recall the letter, and I have a copy of it at home. As chairman of the county central committee, I wrote to Attorney General Brown, indicating that the members wanted to know what his intention was and that we would like to know as soon as possible because such information would help us a great deal in planning for the gubernatorial election.

Morris: And what did he answer?

Rodda: I don't recall.

Morris: So, you were really ready to push candidates, to get them active, so that your organization could get to work.

Rodda: That's right. The party people wanted to know and have some clarification as to what his intentions were. Of course, he did indicate ultimately that he was a candidate.

Morris: Did he talk to you in response to the letter?

Rodda: I do not recall that he did. I had no real meaningful contact with Pat.

I think there's one little incident that's rather important that I might relate to you.

## II ELECTION TO THE STATE SENATE

### Decision to Run for the State Legislature and the Campaign

Rodda: The primary occurred and I cannot recall too many of the incidents relating to the campaign. I was teaching regular summer school and night school. I was still teaching evening classes at Sacramento State College. As a matter of fact, in 1957 I applied for a job at the state college and I was interviewed, and they told me, since I had taught there, they would be happy to hire me, but since enrollments were not increasing as rapidly as they had immediately after the war, they could possibly hire me either as a lecturer or as an assistant professor.

I asked, "What level on the salary?" I was told that it would be the first salary step. I said, "How much is that?" And they told me. I said, "My salary now is 'x' number of dollars, and I am able to teach summer school and night school, and I'm thoroughly familiar with the courses that I teach. It would take me thirteen years, if I were promoted each year and were moved from assistant to associate to full professor, to reach a salary comparable to what I am receiving now, or will be receiving as a result of annual increases. I have three children who are about ready to enter college. I would have to work a lot harder because I would have to concentrate on teaching new courses, and I would experience more course rotation." Do you know what I said?

Morris: Yes. [laughter] No.

Rodda: No. [laughter] I said, "I may run for the legislature."

Morris: Oh, that's marvelous. [laughter] Did you decide that you were interested in running for the legislature before Brown made his intentions public?

Rodda: No, actually I would not have run. Incidentally, Senator Earl Desmond, who was my predecessor, was not a candidate in that year, '58.

Morris: Why didn't he run again?

Rodda: Well, he did in 1956, and he died unexpectedly in 1958. I'll provide you with a little background. In 1956, when he sought reelection, I was of the opinion that he might not run and that his son, who was a Republican and a fine young man, might run. I concluded this because Earl Desmond made no public statements with regard to his intent during the spring of that year. Everybody recognized that he was a shoo-in and that he would have no problems.

So, one of my colleagues, an activist in the Democratic party, Nat [Nathaniel] Colley (an outstanding black attorney who is now a millionaire, I believe) called me and asked me to run against Desmond in the primary. I said, "There's no way I could beat Earl Desmond. No one can beat Earl Desmond. Furthermore, I do not have the campaign money."

Colley said, "Well, someone has to run as a matter of principle." I said, "Well, I can't afford it, under the circumstances." He said, "Well, I'm going to run." I said, "That's all right with me, but you won't have a chance. You're black and Earl is a well established conservative Democratic incumbent."

In those days, there was much more discrimination toward minorities and the attitude of the public was much more negative toward blacks than it is now. It is hard to believe that. That was only in 1956, and in those days we were just beginning to accept blacks to the extent that it was looked upon as appropriate if they entered a first-class white restaurant. That is hard to believe. Perhaps, it wasn't quite that bad in the middle '50s, but it was certainly that bad in the '40s.

Morris: Was this attorney active in the clubs?

Rodda: He had been active in the Democratic party, particularly in the clubs, right.

So, he said, "I'm going to run," and he did. He was beaten in the primary, three to one, as I recall. That was in 1956 and Earl won the Republican [nomination] as well as the Democratic. The Republicans did not even file a candidate against Earl Desmond, my predecessor.

Morris: Because they felt so comfortable with him?

Rodda: Right. He was a conservative. Interestingly, I guess that some of the liberal Democrats are beginning today to view me from a rather strange perspective because the Republicans have not recently filed what you would describe as strong candidates against me. I think they

Rodda: perceive that it would be very difficult to beat me, that it would cost a lot of campaign money, and that it is not worth the effort, because they need to concentrate their resources in more critical areas--

Morris: Where they'd have a better chance of taking over a seat?

Rodda: Right. So, it's a pragmatic decision. With Earl Desmond, it was pragmatic, and to a certain extent it was philosophical because he was quite conservative. I am a neo-conservative, a moderate liberal, or a liberal, depending on how you want to use the term.

But anyway, in 1958 Earl died, just prior to the primary election.\*

Morris: Oh, that's a tricky situation.

Rodda: Right. Now, the Democratic nominee in the assembly in my district was Edwin Z'berg, who had sought that office in '56 and had lost but won his party's nomination in 1958. The other assembly Democratic nomination was won by Assemblyman Tom McBride, who has just retired as a judge from the federal court. So, neither of the two Democratic candidates was able to seek the nomination for the state senate, despite the fact that they would like to have done so.

So, I was asked by a number of people in the party with whom I had worked if I would run. After a lot of deliberation and after I had found out that McBride would not run, I said, "All right, I will run."

Morris: So, what happens, then?

Rodda: Well, the candidates file and the governor calls the special election to be held concurrently with the general; so my name was on the general election ballot in November of 1958 with the other nominees. And Earl Desmond's son did file; Louis Desmond's name was on it. Then two other chaps filed as Democrats; so there were three Democrats campaigning against one Republican.

Morris: Isn't that fascinating.

Rodda: One of the Democrats had been a Republican. He went to the county office, changed his registration, walked across the hall, and registered as a Democrat. You could do that in those days. He

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\*May 26, 1958

Rodda: changed his registration from Republican to Democrat, walked across the hall, and filed as a candidate, which meant that I had another Democratic opponent [Homer J. Walt].

The other chap who was running against me--funny, I cannot even think of his name now--was active in the construction industry and was quite well supported by the construction industry unions. [remembers name of this opponent] Frank Corbett.

Morris: By the unions rather than the contractors?

Rodda: Both the contractors and the union workers.

Now, I had been active in the AFT [American Federation of Teachers] at the city college and I had been president of the local and delegate to the local labor council. So, I had some friends and some contacts with the American Federation of Labor. In addition, some of their members were active on the central committee.

So, in the election, there was some question as to whether or not Corbett would gain the support of some unions, especially the skilled crafts unions because his closest affiliation was with the construction industry.

And that year there was a critical issue on the ballot, the right-to-work initiative. We did some research on that issue and discovered that Frank Corbett had signed the right-to-work initiative petition; whereas I had chaired a committee of faculty members at the college which was organized to urge people not to sign the initiative.

So, here labor is trying to decide whether they want to support a man who chaired a committee to urge people not to sign the right-to-work initiative, or endorse and support a man who had signed the initiative. Well, as soon as we made that information available to the Construction Trades Council, they withheld their endorsement of Corbett. I subsequently obtained the endorsement of labor.

There was a CDC endorsement convention held, and there were several people who were considering running. They would have run had they obtained the endorsement of the CDC convention. One of them was Ralph Brody, who was employed by the state senate as a consultant to the Senate Water Committee. He was well supported and there was, therefore, a bitter fight at the convention.

Morris: The state convention or the local county one?



Rodda: No, it was the local one. There were over three hundred people present, about 350 or 360, and I obtained the endorsement of the endorsing convention by some 60 percent. A candidate needed 60 percent, and I had 62 or 63 percent. There was also a city councilman who was aspiring for the endorsement, and, of course, there was the chap whom I mentioned, Ralph Brody.

So, I won the endorsement of the CDC and I had the endorsement of labor. It was rather an interesting campaign. I won by 52 percent, I think, or 51 percent, in a field of--

Morris: Of four candidates.\*

Rodda: Yes, right.

Morris: So you were running against two fellow Democrats and a Republican candidate.

Rodda: Yes. If Earl Desmond's son had registered as a Democrat, he would have walked in.

Morris: Because of the name recognition, yes.

Rodda: But in those days--I think this is an important observation to make--there was a lot more meaningful involvement by the people in political parties and a lot more of a commitment to them.

Morris: To the party as such, yes.

Rodda: Right. You had to rely on your friends and your supporters in your campaign in order to become effective, and by "rely" I mean that you had to count on them to attend campaign fund raisers, which were reasonable in terms of cost, to distribute your campaign literature from door to door, and to provide you with the kind of support that you needed in other forms of volunteer work--if you had a mailer, to type the address labels.

Morris: The labels, and bundle them up.

Rodda: And staff the headquarters. There was a great deal of involvement at that time in the state and in this community, in political parties, both parties, Republicans and Democrats. So, I had the advantage of being a Democrat at a time when being a member of the Democratic party meant something.

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\*Nineteenth Senatorial District election results, Nov. 4, 1958:

Homer Walt (Dem.)	4,524	Louis N. Desmond (Rep.)	48,737
Albert S. Rodda (Dem.)	75,918	Frank D. Corbett (Dem.)	18,483

Morris: And at a time when you'd put in a number of years in helping to build that organization of active political volunteers.

Rodda: Right. An organization of volunteers.

Morris: What do you suppose has happened?

Appointments of Governor Edmund G. Brown, Sr.; Further Campaign Notes

Rodda: Well, I thought that you might like to know about this incident in relation to Brown. We are getting close to Brown. Well, he ran that year and was elected and I was elected. I think that there were nine new Democratic senators chosen in November and in the middle of the year there was a special election and another Democrat was chosen; so we had ten new Democratic senators and that gave the Democrats a majority in the senate.

Morris: And you ten new Democratic senators replaced seven Republicans and three Democrats.

Rodda: And that gave the Democrats a majority, as I recall. I do not know how much it was, maybe twenty-two or twenty-three votes, but it was very much of a political earthquake as far as the senate organization was concerned.

Now, one of the first things that I did [chuckles] in my naiveté was to have a meeting with Governor Brown.

Morris: At your request?

Rodda: Yes. In attendance at the meeting were the chairman of the central committee, the chairman of the Democratic Council of Clubs, and several other outstanding Sacramento Democratic party leaders. What they wanted was to have the governor, when he was appointing people to administrative positions and to the judiciary, to confer with them, so that appointments from this area would be reviewed by active Democrats and they would have some kind of involvement in the decisions which related to appointments.

Well, Brown met very conscientiously, but, of course, we never were able to organize any kind of a review structure. It just did not come about. As a matter of fact, when Governor Brown was governor, he very, very infrequently deferred in any respect to me with respect to my recommendations. The only appointments in which he seriously considered my recommendations--and this will amuse you--were for the Fifty-second District County Fair.

Morris: I'll be darned! [laughter]

Rodda: [wryly] Very substantive appointments, you know! But I suffered as a consequence of that situation because I was inclined at the time, I think maybe because of my naiveté, to endorse or sponsor particular local candidates for the judiciary, people whom I thought were well-qualified, and not one ever was appointed. The process was politically negative, insofar as I was concerned, because there were usually seven or eight attorneys, many of whom I knew, who did not receive my endorsement, but the one who received my endorsement was not appointed. So, it was a negative kind of experience for me, and it taught me something. The lesson I learned was not to advocate a particular candidate but to write letters of recommendation for those whom I regarded as well qualified, and then to let the governor, whether Reagan or Jerry Brown, make the decision. Previously, I just made political enemies, and I did not gain one political friend.

Morris: Yes, if your recommendations are never accepted.

Rodda: Right.

Morris: Who on Brown's staff was checking into the background of possible judicial appointments?

Rodda: I can't even remember. It's just too difficult to remember now. I'm sorry.

Morris: I just wondered if you'd ever consulted with that person.

Rodda: Oh, I met with his staff and wrote them letters of endorsement. Brown was political about his appointments, but he made very good appointments, I thought. I was very impressed with the quality of the people he appointed to office in the executive branch of government, as well as the judiciary. They were experienced, intelligent, qualified people.

So, I was not unhappy with the appointments. I was unhappy over the fact that, as a state senator, I was never given any consideration, or what I regarded as any consideration. However, he did give consideration to the wishes of prominent Democratic leaders in this area, those with whom I had worked; so they had a significant amount of influence.

One of them was Gordon Schaber, who subsequently succeeded me as chairman of the Democratic central committee, a position he gained with my assistance. Gordon Schaber was the dean of the McGeorge Law School at the time and a practicing attorney, subsequently appointed to the superior court by Pat Brown. He then

Rodda: retired and continued as dean of the McGeorge Law School, which became affiliated with the University of the Pacific. Gordon has been a very active person in the Democratic party.

Governor Brown had close contacts with Gordon. I did not object to that. He was also close to Nat Colley, who was appointed to the State Board of Education [by Pat Brown]. Nat had to withdraw under certain conditions which I do not think I even want to mention.

Morris: Yes. I think of him primarily as having been a good appointment of Pat's.

Rodda: Right. I think Pat also appointed Bill Schwartz, a Republican, to the State Board of Education, a prominent attorney who just recently has been appointed to a federal judgeship.

Morris: Are you thinking then that Gordon Schaber's and Nat Colley's recommendations would be different from yours as to who'd be a good [appointment]?

Rodda: Yes. They were not the two individuals with whom I met when I asked him [Pat Brown] to confer with Democratic party leaders. My recollection is they were the chairman of the central committee-- I think that was William Heekin--and the then chairman of the council of clubs. I cannot recall the name of that person.

But the point is that Pat was political in making his appointments. He would sometimes appoint Republicans and sometimes Democrats--but mostly Democrats, of course. I thought that they were quality people, and yet I never had any kind of meaningful influence in any of those appointments.

One thing I did try to do to strengthen the Democratic party was to have all the Democratic candidates operate out of a joint office. The central committee put out campaign literature in the form of a slate piece, which listed all candidates of the Democratic party. The idea was that their staffs would work together, too, reinforcing everyone's efforts. John Moss didn't like the idea at all, however.

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Morris: Were you able to run a unified headquarters in '58 when there were three of you running?

Rodda: Gee, isn't that interesting? Mine was a special election.

Morris: That would have gotten kind of complicated.

Rodda: Yes, I did not have a headquarters, and I do not recall that I operated out of the Democratic party headquarters. It was a special election, you're right. There were three Democrats running against one Republican.

But John Moss ultimately cooperated, and the disagreement was not disruptive. But it was difficult because that was during a period of time when there was cross-filing, and sometimes Democrats did not want to be identified with other Democrats. They wanted to maintain their support within the ranks of the opposite party, so there was a disinclination to be involved with the Democratic party.

I am only mentioning this to indicate that I, as chairman of the central committee, prior to that time and subsequent to that time as a state senator, tried to do what I could to strengthen party loyalty and to strengthen the political party through the involvement of citizens in the party and in the political process. I continued to do that when I was elected.

I guess that my election was something of a surprise to everybody, including me.

Morris: Really?

Rodda: Well, I was not too optimistic. I just did not know how much loyalty there would be to the name Desmond. The young man, my opponent, Louis Desmond, and I had a very interesting agreement. We agreed to conduct a fair and objective campaign and to avoid any kind of personal attacks and any dirty politics. In those days, there was a lot more involvement on the part of the candidates in community meetings.

Morris: The speaking nights?

Rodda: Right. Candidate nights and things of that nature.

So, he and I were very scrupulous in the way in which we observed that agreement; so it was a very clean campaign.

Much to my surprise, and despite the fact that I had two Democrats and the son of the incumbent competing with me, I was elected by a majority of the votes. The first precincts showed me behind, but subsequently I gained support over time.

Freshman State Senator, and Teacher

- Rodda: But when I was sent to the senate, I was given very unimportant assignments because of the way in which the senate was organized.
- Morris: Hugh Burns was--
- Rodda: Hugh Burns was the president pro tem, and he was a very powerful and effective man, but he was always very nice to me, although we very seldom agreed on political issues. The senate observed the principle of seniority. Are you interested in this?
- Morris: Yes.
- Rodda: The principle of seniority was extremely important in the senate's organizational structure. And since I had no seniority, they gave me minor committees. I think they were Social Institutions, Education, Elections, and Local Government. I had had some background experience in local government because of my father's identification with it, and I had taught California history. I also had an identification with education, and it made sense to assign me to the Education Committee. Social Institutions was a very unimportant committee.
- Morris: I don't know that I've ever heard of it before.
- Rodda: It has ceased to exist. The committee was assigned three bills in 1959, as I recall.
- Morris: I see. What was a Social Institution, just for historical purposes? [laughter]
- Rodda: I cannot even recall the bills.
- Morris: It was a minor [committee], yes.
- Rodda: It was a committee to which were assigned senators who were rebels or who did not have seniority. The other committee was Elections.
- Morris: Was Education not considered a major committee in 1959?
- Rodda: It was fairly important. That was the most important committee to which I was assigned. Local Government was fairly important.

In those days, the committees did not have any meaningful staff. A committee chairman might be given an administrative assistant to assist him in the conduct of the meetings, and that was about it. The senate did not have interim committees. In other

Rodda: words, the standing committees did not engage in meaningful interim work. As I recall, interim studies were done by special committees that were assigned particular responsibilities.

As a state senator, I had as a staff person one individual, who was my secretary, Mrs. Polly Gardner. Mrs. Gardner had been a student of mine. Her husband also had been a student of mine. Polly had been active in the Democratic party and had had two children. They were entering school and so Polly was ready to return to work, and I asked her to become my secretary. She accepted. But we were very much understaffed.

Our legislative session in 1959 ran until July 1, as I recall, and then we returned in 1960, technically for a one-month session for the enactment of the budget, but it was a practice for the governor to call a special session in order to address critical issues.

Morris: Concurrently, yes.

Rodda: Yes, concurrently. The only items that were authorized for introduction in the special concurrent session were those that fell within the call. So, maybe we would meet for a month, act on the budget, and consider a dozen bills which were introduced in the special session under the call.

Morris: Did the governor control what was on the call, or did the—?

Rodda: Yes. As an author, you had to establish that the subject matter was germane to the call, otherwise you were not permitted to introduce a bill.

The Finance Committee met early in the year and they continued their meetings on the budget while the other members were in recess.

I was teaching then and I took a leave of absence from my teaching when we were in session, and the school district was very fair to me. The school board had been very unfair to one of my predecessors, John Harold Swan, who was predecessor to Earl Desmond. John Harold Swan was a teacher of English at city college, and was elected to the state senate, as I recall, in 1940. He served one term and retired. He could not afford to continue, because the board of education of the Sacramento City Unified School District (the junior college was part of the unified school district then) would not give him any leave time. So, he had to teach and serve in the senate, and it was a very difficult burden. He could not afford to live on the compensation that was provided legislators at that time. Well, anyway, the board of education had changed its policy and it was very fair to me and they gave me leave time.

Rodda: Now, one could perceive at the time, early sixties, that the legislative workload would be building up because of the growth of the state and the development of the problems which we had to recognize and address. So, it was really a burden and responsibility to be a full-time teacher, on leave when we were in session, but to have to respond to the demands which were made upon me as a politician while I was active as a teacher, in view of the fact that I represented the entire county and had to participate in public meetings, conferences, and speeches.

When I entered the office, I decided personally to respond to as many of my constituent letters as I could, to have an open door policy, which meant that I would meet constituents and confer with people who were interested in legislation, and that I would even answer the telephone if I could. That policy is a very demanding one to observe, but I did quite well.

Morris: How much do your constituents ask of you? Do they just want you for ceremonial things?

Rodda: There are quite a few requests for ceremonial activities for the introduction and presentation of resolutions. There also are quite a few who want to come in to the office and talk to you about issues that are important to them. So, such a policy will impose a rather substantive demand on your time. And when you stop to consider that I was teaching, serving during the legislative sessions, and that after school coming to the office at 3:30 or 4:00 and staying until 6:00 or 6:30, and oftentimes attending meetings at night, you can understand the burdens being imposed upon me.



### III 1966 REAPPORTIONMENT AND RELATED ISSUES

#### Reapportionment and a Full-Time Legislature

- Rodda: That level of activity went on until reapportionment, which was in 1966. Had we not had reapportionment, I would have quit the legislature. I just could not continue to do it, the demands on my time and my energy were too heavy.
- Morris: So that part of the reapportionment struggle was to get a full-time commitment.
- Rodda: Right. During that period of eight years when I was in the senate prior to reapportionment, senators were given, finally, administrative assistants as well as a secretary.

The senate also created what we called fact-finding committees. There were not as many fact-finding committees as there were standing committees, but the fact-finding committees, within the area of jurisdiction assigned them, held interim hearings on substantive issues to assist in the development of legislation. The assembly standing committees were functioning as interim committees but not those in the senate. The senate fact-finding committees and, also, the standing committees were given consultants. You can see what was happening to our work force.

Morris: You were getting a pyramid.

Rodda: Right, because there was an expansion in the population and because the legislative burdens of the state were increasing, the responsibilities of the legislature increased. To give you an illustration, as I recall, strictly from memory, the 1964 budget session during which time about 110 bills were introduced. But it was a gross waste of time, because the entire legislature was in session for three months to consider a hundred bills and because most of the members were not involved in the hearings on the budget, because the budget work was done by the fiscal committees, you see.

- Rodda: The League of Women Voters became interested in this development and there were other organizations studying state government, and their recommendation was that we should have annual sessions.
- Morris: That decision could have been made without the reapportionment decision, couldn't it?
- Rodda: Yes, that's right.
- Morris: It was just coincidental that they came at the same time?
- Rodda: Right. So, a constitutional amendment to provide for reapportionment of the senate and another to provide for annual sessions were under consideration. The former failed and senate reapportionment resulted from a supreme court decision.

The issues of the senate reapportionment for a number of years, had been a very serious one, because the state senate, as structured when I was elected, largely reflected the interests of the rural interests.

Just to give you an illustration of how drastic the disproportionate representation was--that's not very good phraseology--but the senator from L.A. County, Richard Richards, who was my seatmate, represented I think fourteen and a half assembly districts. So, the people in those assembly districts had one senator; whereas, one of the state's senatorial districts consisted of three counties--a senator could represent a minimum of one county and not more than three, and they had to be contiguous--contained a total population of less than 50,000. Those three counties were grossly overrepresented in the senate, and L.A. County was grossly underrepresented.

Incidentally, I thought that we should reapportion the senate and I wrote a paper on the issue. I do not know whether you have it.

Morris: Yes, I do.\*

Rodda: I delivered [it] to the Japanese-American League at a dinner. In it I suggested that maybe what we should have was not full reapportionment but a moderate change, one which would assign maybe seven or eight senators.

Now, George Miller from Contra Costa County, who was chairman of the Finance Committee, was very negative toward reapportionment.

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\*Speech, "Reapportionment," February 1965. Copy in Rodda papers, The Bancroft Library.

Morris: Why was that?

Rodda: Well, he perceived it as possibly having a dramatic impact on the senate, making it a more liberal house, and reducing the influence of the north, especially on issues such as the state water distribution.

Morris: Because it would become more urban?

Rodda: Yes. Furthermore, it would be very destructive of the political coalition which controlled the senate. That political coalition was very supportive of Hugh Burns and was one which was made up of both Democrats and Republicans. They controlled the Rules Committee, and the Rules Committee made all of the important decisions with respect to committee membership and with respect to the committee chairmen. So, any degree of reapportionment obviously would adversely affect that internal power structure.

Morris: Now, that's interesting, because George Miller is generally considered to have been a liberal senator himself.

Rodda: He was basically a liberal senator on some issues, but on some issues he was conservative. He had an orientation toward business.

The third house was extremely powerful in those days because their advocates had very close contacts with the members. There was a great deal of wining and dining and entertainment that was financed by the third house. It was pleasant. It was exciting to go to a nice dinner and share the evening with your colleagues and the third-house advocates and discuss issues. But, on the other hand, it had its adverse effect, too, which was that it gave the third house much more access and, to a significant extent, much more influence than perhaps it was entitled to have. The lobbyists not only contributed to our campaigns, but they also established very close sound relations with us.

The committees operated in a totally different manner in those days. There was no roll taken or recorded on votes. Now, I'm not too happy today with the fact that the roll is taken in the Finance Committee. I first became chairman of Elections and Reapportionment; then I became chairman of Education. When I chaired the committees, if I was not sure on the basis of a voice vote what the majority opinion of my colleagues on the committee was, I simply asked for a show of hands. Then I counted the hands. The audience could see that a majority of the hands were in favor and a minority were against, or vice-versa. And that was the decision of the committee.

Legislative Power Relationships

Rodda: But some of my colleagues did not chair the committees that way. They were very arbitrary--arbitrary about setting bills, arbitrary about hearing about them, arbitrary about interpreting the vote. So, among my liberal friends, who wanted to reform the senate, that practice was very objectionable, but there was no way that one could change the internal mechanism or power structure of the senate.

Now, I was a rebel, and Hugh Burns knew it.

Morris: Because of your work in the county central committee?

Rodda: And because of the way in which I functioned in the senate. I was not fully cooperative with Burns. He could not come to me and tell me, "Vote this way, Al," or, "Vote that way." I was independent.

Morris: What kinds of things do you recall disagreeing with him on?

Rodda: Oh, I cannot recall too many issues, but usually they related to matters having to do with the special interests, with taxation, conservation, and issues of that nature. But he and I knew, we had an understanding, that I was independent; I was my own man. And so I was not given important committee assignments, but I had to be given some important committee assignments because of my achievement of seniority. The leadership did not want totally to breach the principle of seniority in my case, because if they did, that would mean that the principle of seniority did not mean anything and the principle would be challenged. So, they observed the principle of seniority, but not as fully or completely in my case as they did in those instances in which a member had indicated a total desire to be cooperative.

For example, I had a colleague of mine come to me once after he had been in the senate for maybe two years who said, "Say, Al, why are you not on the Government Efficiency Committee?" This was the powerful, killer committee, and I said, "Well, I do not want to be on that committee." [He said,] "Well, why not? That's where the power is, Al!" I said, "Well, I know, for you pay a price to be on that committee." [He said,] "Yes, but that's where the power is." I said, "Well, you will have to pay the price." [He said,] "Well, I want to be on that committee!"

You know what happened? He was placed on that committee, because he agreed to work with whom?

Morris: Hugh Burns.

Rodda: Hugh Burns and the clique, the group that controlled the senate through the Rules Committee. They frequently made critical decisions at meetings in hotel rooms where they sat with the third house or they independently, as a small group, made major policy decisions for the full senate. Then they could implement the decisions through the Rules Committee, because the Rules Committee controlled the critical committees which were Revenue and Tax, Finance, Insurance and Financial Institutions, Judiciary, and Government Efficiency. Those were the five powerful committees. If you were part of the organizations, you were likely to be assigned to those committees, and it was generally assured that the majority of the committee members, whether Republicans or Democrats, would support the decisions of the internal power structure.

Morris: And it was more whether you'd support the power structure than whether you were a Democrat or a Republican?

Rodda: Right. But that situation created problems for Governor Pat Brown. Now, interestingly enough--is this what you wanted me to talk about?

Morris: Yes, this is fine.

Rodda: There developed between the two houses, the assembly and the senate, an interesting situation, each house desiring to exercise power in a manner to support its own interests--philosophical, political, special interest, or whatever they were.

When Jesse Unruh became speaker, he became involved in a kind of an adversary relation, not with Hugh Burns so much, but with [George] Miller. The Democrats controlled the senate, but a small group of the Democrats worked with Hugh Burns and a small group of Republicans to control the senate, so the senate was dominated by a strong bi-partisan coalition.

Now, today I function that way as chairman of the Finance Committee. Oftentimes I have to organize a coalition of Democrats and Republicans in the Finance Committee in order to achieve constructive action. But the way I do it is on the basis of merits. I try to convince the members of the committee that that is the appropriate course of action, and usually I can gain the support of the moderates--Republican and Democratic.

I'm not saying coalitions between party A and party B are wrong. I'm merely indicating that the use of the coalition can be abused, and it was abused to a significant degree by the old senate power structure. For example, when the budget was heard, the Senate Finance Committee members at the meeting--and it was chaired for a number of years by George Miller--would exclude or include items that they wanted to be bargaining issues. They would exclude things that they

Rodda: knew the assembly wanted, and the assembly would exclude items that they knew the senate wanted; thus, when the budget was before the conference committee, which in those days was held secretly behind closed doors, and there was no press--

Morris: No press was present?

Rodda: No.

Morris: How did they get around that?

Rodda: Well, that was the rule. The only people present were representatives of the Finance Committee and the Legislative Analyst Office. So, the conference committee made the decisions, three members of the assembly and three from the senate, which determined significantly the character of the budget.

Morris: And they would just not have taken action on various issues until it got to the conference table?

Rodda: Well, they took action, but the action was such that they knew that they would be in a negotiating position when they became involved in the conference committee. In those days, the conference committee could augment the budget or delete money from the budget. It was an open conference committee; the rules did not govern it as they do today. Today, the public has access, the media has access, and the conference committee may not augment the budget by an amount which exceeds the higher level expenditure contained in the two versions of the budget, and new items may not be added to the budget.

Morris: Of the two-house decisions?

Rodda: If the assembly's is \$50 million and ours is \$49 million, the committee may not appropriate above \$50 million. The committee may go below \$49 million, but not above \$50 million. That rule developed because of a ploy that occurred during Governor Reagan's administration. It had to do with Senator Randy Collier's interest in building--well, rehabilitating--the old Capitol. Governor Reagan wanted something, and Willie Brown, chairman of Ways and Means, wanted something. I do not remember the details, and I do not want to make an inaccurate statement, but the incident was reported in the newspapers. The outcome was a compromise with regard to the rehabilitation of the Capitol, with regard to Willie Brown's interest in developing a park facility in the San Francisco Bay area, and I've forgotten what it was that Governor Reagan wanted, but I think it was the Governor's Mansion. I'm not sure.

Morris: That could well have been.

Rodda: But this was such an outrageous abuse of power by the conference committee that it led to a change in the rules. Randy Collier was Finance Committee chairman at the time, and I think it contributed to his removal. The incident happened in Governor Reagan's administration, but it is relevant to this interview because it was the way that the two houses operated during Governor [Pat] Brown's administration. The two house rivalry was reflected to a significant degree in the way they operated on the budget in the conference committee. It was that kind of a battle, or political controversy or confrontation, which prevailed during the Pat Brown years.

Now, Governor Brown was, in a sense, caught between the two-house rivalry. More often, his views, since I would classify him as a moderate liberal, identified [more closely] with the political philosophy of the assembly than with the political philosophy of the senate. So, oftentimes Pat had more support from Jesse Unruh than he did from the senate, but there were, of course, very important occasions when the governor had to rely on the senate for support. I can't remember all the details.

I do not want you to draw the conclusion that consistently Governor Brown had to rely on the assembly. There were occasions when he had to rely on the assembly, but there were also occasions when his strength, his reinforcement, was from George Miller. George Miller had a great deal of influence because he had a coalition or supporters in the Democratic party and they were basically liberals, but George was a pragmatist and knew how to work with Burns and with the Republicans.

Morris: Why was the adversary relationship between Jesse Unruh and George Miller rather than between Unruh and Hugh Burns?

Rodda: Well, Burns was not as much involved in the details and the specifics of legislative issues as was George Miller. Burns was more of the titular-type leader, although in some issues he was very involved, and he reflected a conservative Democratic philosophy. But Miller was interested in specific issues, specific legislation, since he was chairman of the Finance Committee. He also would have very much liked to have become president pro tem, I think, and he would have been a very strong president pro tem.

You see, the president pro tem, under the senate structure, hasn't the political power of the assembly speaker, but Burns obtained the power because, through the coalition that he had of Republicans and Democrats, he virtually controlled the Rules Committee; the Rules Committee was practically a rubber stamp for Burns and through it he exercised great power.

- Morris: But it sounds like it would depend on what your own interests were. If your interests were in issues, as Miller's were, then being chairman of the Finance Committee could be a more powerful position sometimes than being pro tem.
- Rodda: Yes. Furthermore, George had not only the power that the chairmanship of Finance gave him, but he also had power in the Rules Committee because one of the Rules Committee members was Senator Steve Teale, who was very close with George. So, George really had a considerable influence. Oftentimes he could force Hugh Burns to cooperate with him, and oftentimes they worked, therefore, on a very cooperative basis. But I wasn't involved in that power issue at all because I was literally an outsider.
- Morris: Were there others of the group of ten that you came in with that felt the same way you did?
- Rodda: Some of them. Oh, yes. Joe [Joseph A.] Rattigan was one. Walter [W.] Stiern was another.

#### Outside the Democratic Circle

- Morris: Were there any efforts to challenge Hugh Burns for the pro tem spot?
- Rodda: Yes. A group of the liberals organized a breakfast club, and its members were Fred [S. Farr; Jim [James A.] Cobey, now a judge; Walter Stiern; and I. I cannot think of all of the others who attended, but we met weekly for breakfast, and we were the liberal Democrats who were largely on the outside and not members of that intimate circle or clique or group which was very cooperative with Burns and very cooperative with the Republicans.
- Morris: Sometimes that gives you an interesting vantage point.
- Rodda: So we were the rebels, and there were critical issues upon which we had a significant amount of influence. "Rebels" is not a very good word; we were just the independents. We were the more independent members of the senate.
- Morris: Now, you were vice chairman of the Education Committee your first term.
- Rodda: Yes, but there were no major bills during that session, as I recall. And the next session, Hugo Fisher was vice chairman.

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Morris: Then in 1965 you were chairman of the Elections and Reapportionment Committee. Wouldn't that have given you a say in decisions on reapportionment?

Rodda: On the issue of reapportionment of the state senate I was thoroughly outvoted. At a meeting of the full senate I moved that the issue of senate reapportionment be assigned to the Senate Elections and Reapportionment Committee. That was the appropriate committee to develop the reapportionment legislation, but I was unanimously voted down except for my "yes" vote.

Morris: Really?

Rodda: Right.

Morris: How could--?

Rodda: Well, the Rules Committee then created a special Committee on Reapportionment, which was chaired by Stephen Teale, who was a very close friend of whom?

Morris: Hugh Burns.

Rodda: And George Miller, They did not want me, as chairman of the Elections and Reapportionment Committee, to address the issue of senate reapportionment. I suggested in my motion that we assign this responsibility to the Elections Committee and in so doing recognize the committee structure. I said, "I know I'm not a popular chairman, so I would suggest that we make this assignment and then I know you will replace me, which is all right, but observe the rules. I don't care that much about being the chairman. But they chose not to do it, so I remained chairman of Elections-Reapportionment, but I was not assigned to the Select Committee on Reapportionment.

Morris: But you did still hold hearings on reapportionment?

Rodda: That was done by the special committee. The committee held hearings only on the Reapportionment Act of 1961, which was essentially the assembly version, because it was their districts that were being significantly changed in order to adjust to population changes reflected as the 1960 census.

Morris: Because population was the basis for the assembly. It took from '61 to '66 to do the reapportionment mandated by the 1960 census. Am I correct?

Rodda: There had to be a court decision to force senate reapportionment. It was after there was the court mandate, that I suggested that the reapportionment responsibility should be assigned to the Committee on Elections and Reapportionment, but, as I commented, the leadership chose not to do that.

Rodda: They chose rather to create a Select Committee on Reapportionment, chaired by Senator Steve Teale, and they hired a special consultant and developed the reapportionment bill which, I presume, became an act, and which influenced the election in 1966. Because of the court mandate, we had to do it in "x" number of months. The state had election in '64 and another in '66.

Morris: In '66 was when there was the large shift. There were twenty-three new senators, fourteen of whom had been in the assembly.

Annual Sessions, and Constitutional Amendment on Compensation and Benefits

Rodda: Right. [They] came in in '67. And that's when also the public adopted a constitutional amendment to change to annual legislative sessions.

Morris: Right. And wasn't there also a question of compensation and pensions involved in that?

Rodda: Right. The details of the pension issue, I do not know. There was a foul-up on that.

But the salary of legislators was established at \$16,000, and a provision was introduced into the constitution which authorized the legislature to vote a salary increase not more than once in two years and not to exceed 5 percent per year, or a total of 10 percent. That's one of the aspects of our work that has been interesting. I keep telling the press and the people, "We could help control inflation if you would be willing to support me if I introduced a constitutional amendment which would limit all price increases and all employee compensation to what we in the legislature experience." Well, they do not know what I'm talking about. Five percent per year was looked upon as quite responsible in those days, and that organizational change, incidentally, had the support of the League of Women Voters. I think that the Association of University Women and a number of progressive groups and involved citizens supported the amendment.

My memory is--there's a jog here. Boy, it's difficult to remember. I was just looking at something labelled the Politician's Decalogue. I do not know whether you've seen that, the ten commandments of a legislator.\*

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\*"The Politician's Dilemma: Or Which Decalogue," Albert S. Rodda, January 1975. In Senator Rodda's papers in The Bancroft Library.

Morris: No. Is this something that you wrote?

Rodda: Yes. The first commandment, and then the second, and the third, and [it goes on to] the tenth. After I defined the first commandment, I included an "except that..." so the real commandments are the ten exceptions. But the thing that I'm trying to say is that, I thought that I wrote that eighteen months ago, but it was in 1975!

Morris: Well, the pace of things has speeded up considerably.

Rodda: Right. But remembering twenty-one years! My memory returns back when I read the history, you see, but when I try to recite it, I discover that events and names have slipped from my memory.

Morris: I think you're very vivid and fair about it.

You said there was a foul-up on the pension aspect of that constitutional amendment.

Rodda: Yes. There recently was a court decision made under which several retired individuals have had their pensions increased rather dramatically.

Morris: Yes.

Rodda: There was a story on that in the paper about a week ago. Max Rafferty, for example, is now receiving more from his pension than he did as a professor, or than Wilson Riles receives as superintendent of public instruction.

Well, there was some confusion in the language of the pension act which the courts have interpreted in such a manner that these individuals have been--a limited number of them--and I think it was former Attorney General Evelle Younger who filed the original case and won. And once it applied to him, it applied to all the others who fell into the same category.

Morris: Kind of an escalator effect on their pensions.

Rodda: Right. It only relates to about twenty or twenty-five individuals, and they were largely holders of statewide office, and the issue was some confusion about language which related to the fact that they held office but prior to and subsequent to the enactment of this legislation, as I recall. I did not follow the case.

But there are three categories of pensions now for legislators: if you served entirely before reapportionment, if you served exclusively after reapportionment, or if you served some time before and some time after. But it's pretty clear with regards to most legislators, except for these--[pause]

Morris: These questionable cases?

Rodda: Right.

Morris: What we ran across in doing our research for the project was that some people in the legislature were more concerned about the quantity of their pension than they were in some of the issues about how the legislature would function in the constitutional amendment in 1966.

Rodda: I do not recall that issue. I was not very much involved in that problem. Right now there are legislators concerned about their pensions because legislators' pensions are limited, I think, to a certain percentage of their compensation. But the interesting thing is [chuckles], if you retire, your pension is increased in accordance with the changes in the CPI [consumer price index], but if you stay on as a legislator, one's salary is increased at a maximum rate of 5 percent per year. [chuckles] So, a chap who retires, by virtue of the impact of inflation, which has been escalating, as you and I know, will overtake the person who stays on for eight years or so and then retires. He will retire at a much lower retirement compensation. So, there's an economic inducement to retire once you've reached a maximum of twenty years, because there are no real pension benefits that accrue after twenty years. Senator [James] Mills tried to change that, but he couldn't.

But I do not recall the specifics of the issue. I was not very much involved in that issue, the constitutional amendment. As I indicated, had it not been approved, I would have left the state senate. I would have not sought re-election.

#### IV PRACTICAL POLITICAL CONSIDERATIONS

##### Views on Conservation, Campaign Finance, and Lobbying

- Rodda: The full-time issue was decided in '66, as I recall; so the annual sessions began in '67.
- Morris: Yes.
- Rodda: I was elected in '60 for four [years]. That would be '64, and in '68, I would have been up for re-election.
- Morris: You were reapportioned in there?
- Rodda: My first term, in '58, [was] for two years.
- Morris: Right. To fill an unexpired term?
- Rodda: Right. So, I had to run in '60. My opponent was George Artz. He campaigned against the empty chair.
- Morris: He campaigned against the empty chair?
- Rodda: Yes. I was the empty chair. I was not active as a senator because I was a teacher. He ignored the fact that I was on leave, and that I had one of the most, well, favorable records of attendance of anybody in the senate. He said I was a "do-nothing" senator, yet I authored forty bills and twenty became law in my first session.
- I was just reading in a Stanford alumni publication an article about--I think it's Assemblyman Naylor, who is a Stanford graduate--a two-page spread, because he was the editor of the Stanford Daily. In it they asked him--this was his first year--"How many bills did you have signed into law?" The answer was zero.
- Morris: Zero. Oh, dear! [laughter]

Rodda: [laughter] I said, "Gee whiz, he's the do-nothing."

Morris: When you came in, in 1959, did you have some specific things that you wanted to accomplish or things that you wanted to work on?

Rodda: No. Well, not necessarily. I did draft a statement of what my basic philosophy was, and I have a copy of that material and it states my position on the main issues. My principal interest was obviously in education, and I was very much concerned about the water situation in the Delta, and I was very much interested in conservation and environmental protection. I was a traditional conservationist.

Morris: A traditional conservationist?

Rodda: In that respect I was a reflection, in my thinking, more of the conservationism of Teddy Roosevelt and Earl Warren, and people of that nature.

Morris: Preserving open space and making it accessible to people?

Rodda: Right. And in making certain that we built multiple-purpose dams, for example, rather than single-purpose dams, so that we could provide for navigation, flood control, preservation of waterways and power generation. In that respect, I was more of a traditional [conservationist].

Then, of course, in the middle '60s, the term "ecology" developed, and then the term "environmentalist" became more common. So, your contemporary conservationists, if I can use that as a generic term, think of themselves more as ecologists, and the connotation is much more far-reaching than the term "conservationist." I was more of a traditionalist.

But there were a lot of my colleagues, especially the very conservative type, who were not interested in conservation at all--the preservation of open space, acquisition of property for development of parks and recreation, and things of that nature.

But anyway, going back to Pat Brown, he had problems trying to implement legislation, considering the fact that during his two administrations the senate was oriented toward the north and the rural areas, while the assembly was oriented toward the south and toward urban areas--the assembly was more liberal, and the senate more conservative--and the fact that the third-house people had a significant amount of influence in both houses, but especially in the senate, made problems for Pat.

Morris: That seems to be a kind of a persistent problem. Were you aware, as a Sacramento resident, of some of the efforts to regulate lobbying that were going on in Warren's administration?

Rodda: Yes.

Morris: And there was a grand jury investigation by the Sacramento Grand Jury.

Rodda: I was sensitive to it and very responsive, supportive. As a matter of fact, in those days, I refused to accept a contribution in excess of fifty dollars. I was very circumspect in the amount of money that I collected.

Once, in 1960, when I was challenged by George Artz, who conducted a campaign against the empty chair and the "do-nothing" senator, the outcome of the election was very questionable because he claimed he spent in the neighborhood of \$30,000. But we claimed, on the basis of our evaluation of his campaign costs, that [he spent] about \$50,000. I spent \$7,000.

Morris: Good heavens!

Rodda: So, there was a gross disparity there. A curious incident occurred on the Friday or Saturday before the election. This third-house fellow came by my home, stopped and asked me to come out and talk with him. I went out and sat in his car, and he asked me if I needed any money, and I said, well, I did not think so; all my campaign costs were paid. "Perhaps I will have a couple hundred dollars," I said, "in deficit." I was very conscientious about making certain that I did not have an overrun in costs that I couldn't meet myself. I had an overrun of \$750 in '58, which I paid for myself. I put \$3,000 in my campaign fund; that was part of my personal savings. I was able to recover all but \$750 of that amount, as I recall. I also had an overrun of \$200, which I assumed in the 1960 election.

But the advocate offered me some money, and I said, "Well, I don't really need any money. All our costs are paid. I might need some if, in the next day or two, my opponent makes some outrageous and unfair attacks by means of radio or TV, but particularly radio. And then you could contribute."

[He said,] "Well, here, take some money now." I said, "Well, I do not need it, and if I did need it I would limit it to fifty dollars." He said, "Well, here's a couple hundred," and he offered me a couple hundred-dollar bills. [He said,] "Go buy your wife a dress." I said, "My God!"

Rodda: But those were the kinds of things--he's still a lobbyist here. "And you would not have had to file the donation," [he said.] Well, that outraged me because I was very unsympathetic to the blandishments of the third-house people. I refused the money, but you only have my word that I did.

I've never accepted what we call "honoraria." If I speak, I do not accept any money. When I spoke at the graduation ceremonies at the University of California for the School of Education a few years ago, they offered me \$200 or \$300. I took the check and returned it to the University so they could use it for a scholarship. That's just been a policy. I knew colleagues in those days who were on the platform speaking regularly for special-interest groups, and they were receiving compensation in the form of an honorarium each time they appeared. Well, pretty soon they became prisoners of those groups.

Morris: On the other hand, the case is made that a lobbyist can be very helpful developing information about a situation and helping to draft a bill.

Rodda: Sure. Well, that's why I have an open-door policy. You know, the funny thing about it is that the third-house guys think pretty well of me. Why? Because they can come in and talk to me, and they know it.

As a matter of fact, I have a quotable quote that I just uncovered the other day: "The law is not concerned with trifles." I've forgotten what the Latin phrasing is. I drafted that about eight or nine years ago. I said, "If your proposal is not a matter which relates to trifles, and if I think the facts are supportive of your position, I will be inclined to vote as you suggest, but this is my only commitment," or something to that effect. I was going to print that on a card and distribute it to third-house people but I did not.

But the point that I'm saying is that if they come in, I tell them, "I won't make a commitment," unless I have strong feelings or have reached a decision. If I've already made up my mind and I've studied the issue, I will tell them, "I'm going to vote this way," or "I'm going to vote that way." But if I'm seeking information, I will listen to both sides, read their materials, and listen to them, and they're very pleased because they have access to me.

Do you know, some of my colleagues won't even see anyone? They won't see a constituent. They won't see a third-house person.

You do need the third house. In fact, I think the third house is important. Of course, there are some cases in which they abuse their power, but there are also some cases in which my colleagues



Rodda: abuse their power. I have known--and I won't mention names--colleagues who would agree to introduce a bill for "x" number of dollars, or would introduce a bill which they knew a third-house group would oppose. Then they would drop the bill for a monetary consideration. Those conditions still prevail; there are those who want to operate under the table, you know.

But even before we had to file campaign [contribution and expenditure records,] which under existing law is much more restrictive than the law under which we functioned when I was elected. I was very meticulous in filing all my contributions in excess of five or ten dollars. I've forgotten which figure it was. But I did always file a number of anonymous donations, which never exceeded a total of \$150 or \$250--not per person, but none in excess of \$50 per person.

For example, several of my first cousins have been active in the Republican party, and one of them a number of years ago was the finance committee chairman for a candidate for the assembly who was a Republican, and my cousin wanted to contribute to my campaign. Well, I didn't want to--

Morris: Embarrass him. [laughter]

Rodda: Right. So, he fell into the anonymous group of campaign donors.

#### Single-Issue Advocates and Party Participation

Morris: You've mentioned the League of Women Voters several times. Do you think of those kinds of citizen, public-interest groups in the same category as the third house?

Rodda: Well, not exactly, because they do not make contributions to your campaigns. They do influence elections, however, because they do indicate to their membership what your positions are on various issues of concern to them. But, in a sense, they're lobbyists or advocates; in a sense they're special-interest groups, although the League of Women Voters is somewhat public-interest oriented.

A lot of the others are single-purpose oriented. And there is, as you and I know, a great proliferation of single-purpose groups, groups oriented toward a single purpose. To a certain extent that development has adversely affected the traditional political parties because many people who formerly were involved in political parties have withdrawn because their partisan activities had to be involved in controversy, in having to make difficult decisions on issues,

Rodda: and in having to make difficult decisions with respect to candidates within their own party, and their involvement was time consuming and demanding and not always pleasant.

Well, it is much more pleasant to join an organization which is interested in wildlife preservation or in conservation or in the rights of an ethnic minority, because you can normally agree more easily with your associates. It is a single-purpose organization and, as a consequence, your objectives are much more clearly defined, and it is more gratifying to be so engaged. A lot of intellectuals, the people who frequently used to be involved in the politics of the party, are now involved in the so-called single-purpose organizations.

Morris: Now, that's fascinating. I would have thought it would be the other way around, considering ethnic minorities or saving the whales. When those groups go up against the legislature in the media, they can become and have become very controversial.

Rodda: Right. But within their organization they are not.

Morris: I see.

Rodda: And they do not mind being regarded as controversial by the general public, because they are dedicated to their interest, which they regard as very idealistic, and they are willing to be seen as controversial.

Morris: Pre-eminent. [laughter]

Rodda: Right. Very substantive, very proper, very correct.

Morris: Do they make a legislator's job more difficult?

Rodda: Well, it does. You have people who are for Planned Parenthood. They want you to provide funding for abortion for the poor. Then you have the pro-lifers, very vigorously in opposition to abortion. Now, a Democratic party or Republican party, through its organizational activity, becomes involved in decisions oftentimes which have to reflect behavior in all kinds of issues. You can see how you might have in the Democratic party a pro-lifer and a Planned Parenthood [supporter], and they are in conflict within the organization. Within the parties, there are the black caucus, the Chicano caucus, the women's caucus and there are also the conservation groups. And it's extremely difficult, therefore, within a political party--in my opinion much more difficult than it used to be--to achieve consensus, to resolve differences, to achieve compromise, which you must achieve if you're going to become effective, in view of the fact that there are so many of these idealistic goals being

Rodda: advocated or implemented by single-purpose organizations operating outside of the party. There is a tendency to fall out of the party and to affiliate with a group with which one really identifies. I think that that's what is happening.

Morris: Because you see a lessening of people working in party organizations?

Rodda: Right, and [a difference in] the kinds of people who used to involve themselves to a significant extent in partisan politics. We had faculty of the university, highly educated people. Now you find such individuals identify with these other organizations.

### Effects of Opposition to the Vietnam War on the CDC

Morris: Going back to the CDC, which was sort of the pre-eminent volunteer political organization, didn't its effectiveness and strength begin to diminish as they got into more controversial issues?

Rodda: Yes. That was one of the things I was going to mention at the end, when you started talking about it, and that is that which really destroyed the CDC was the Vietnam war. I was opposed to that war from the very beginning. I never supported it because I perceived it, based on my study of history--and I had done a lot of writing and thinking about the issue as an improper implementation of American foreign policy. I argued that we should not involve ourselves in the Vietnam war, because it would have an adverse effect on our young people. It was unfair to draft them to take part in a war which really was not one which promoted the best national interests. It would cause inflation, it would waste a lot of scarce natural resources, and it would damage our image in foreign affairs and, thus, reduce the effectiveness of this country to function in international affairs. I think I was right.

So, when I attended the CDC conventions and [Pat] Brown was governor, that war emerged as an issue. It was in the late '60s. Earlier, it was an issue when [President John F.] Kennedy was authorizing Americans to land and to occupy portions of south Vietnam. I can remember--I believe it was in Fresno--when Pat Brown came to the CDC convention and encountered many of the members who were against the war. His position was not one of opposition to the war, and he received a rather cool reception. He was criticized for being late. I think he was late because he had had a meeting with [Cesar] Chavez in Sacramento over the issue of collective bargaining for farm labor, and I think a farm labor strike; I'm not certain. But anyway, Pat arrived at the convention somewhat late and after he had the meeting with Chavez. The CDC was split over that issue as well as the war. His reception was not very warm.

Rodda: Subsequently, lots of the Democratic organizations which were conservative withdrew from the local CDCs. Ours locally just fell apart. The Democratic Women's Club withdrew, and it was the biggest organization and really the backbone of the CDC.

Subsequent to that, when the CDC met, it was very difficult for the CDC, because of its adamant position against the Vietnam war, to attract prominent persons to speak at their conventions. They once invited me. The leaders of the organization never knew who I was before that issue developed and they have not known who I am since.\* But I attended the annual conventions regularly until about three or four years ago. I consistently urged the activists to continue their work. But that one issue significantly, in my opinion, contributed to the demise of the CDC as an effective statewide organization.

Morris: Because you didn't feel it should take issue on a national topic?

Rodda: Well, I thought that it should have taken a position on the issue all right. It was just unfortunate that when some of the active members could not agree with the position taken by the organization, they would withdraw. Then, after that issue divided the council, the real liberals assumed a dominant role in the CDC, and so it became an extremely liberal organization, and then within the CDC there emerged the black caucus, the Chicano caucus, the women's caucus, and the organization committed itself to a strong dedication to civil rights, disarmament and opposition to war.

Today, you will find, I think, that this continues to reflect pretty much the attitudes and the values of many of the CDC people. They are the real left-wing members of the Democratic party. They identify more with Tom Hayden and Jane Fonda.

Morris: And that's now spawned new organizations, as you were saying.

Rodda: Right. Now they have their own organization. What do they call it?

Morris: The Committee for Economic Democracy.

Rodda: The Committee for Economic Democracy, yes. And they have a strong identification or affiliation with the CDC.

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\*See speech welcoming 13th annual convention, March 1965. In Senator Rodda's papers in The Bancroft Library.

Other Issues for Discussion

- Morris: Why don't we stop there today. You've really put a lot of things in perspective.
- Rodda: Well, I don't know whether this is what you want. There is one issue that we ought to talk about, and that's the State Water Plan.
- Morris: Yes, I would like to. I saw this morning as setting a background for your sense of the political life in the state senate. The next time you have time to meet, I would like to talk about the water plan, and education, and what else?
- Rodda: There was another issue that Brown had problems with, and that was taxation. At the end of his second term, the state was operating on a deficit basis, and he wanted to achieve tax reform, and obviously it was very difficult to achieve the cooperation needed in the state senate.
- Morris: Right. Didn't a lot of that also tie into education, since education is such a big piece of the budget?
- Rodda: Right. I have a memo that I wrote on my involvement in a conference committee on AB 145, I believe it was, a major school finance bill authored by Jesse Unruh.\*
- Morris: Could I borrow a copy of that memo, so I would understand it better and ask intelligent questions?
- Rodda: I'll try to find it. Again, it reflected the differences between the two houses.

## V THE CALIFORNIA WATER PLAN

[Interview 2: November 30, 1979]##

Developing an Adequate Bill

Morris: Last time we talked generally about what the legislature was like when you came in. Today we were going to talk a bit about the legislative issues that you were involved in during Pat Brown's administration. I guess the biggest single item was the California Water Plan. I wonder what your position on that was, being from the middle of the state, as it were, in Sacramento.

Rodda: All right. I was elected in 1958. I was sworn in in December of '58 because I was elected in November in a special election. My colleagues, who were elected in the general election and not the special election which was held concurrently with the general election, weren't sworn in until January. So, I have a month's seniority, which means that I'm the dean of the senate, but that's a big joke. [laughter] I'm the dean. Walter Stiern, for example, and I were elected the same day in the same year, but he was sworn in in January, and I was sworn in in December; so the record shows that I am in the class of '58 and he's in the class of '59.

Immediately after I was sworn in I attended some hearings which were being held by the Senate Water Committee which was trying to develop an adequate bill to address the issue of the State Water Plan. The big problem was to obtain enactment of a bill which would satisfy the northern legislators, especially in the senate, which was not then reapportioned. The senate, therefore, was controlled by northern senators, and they were fearful that if the appropriate language were not developed and the water plan were approved and the project constructed, there would be a loss of water to the northern counties. So the issue was clarification of what water rights meant in the law and how they would relate to the State Water Project. No progress could be made. The issue was so controversial that the committee was not able to develop compromise language.

Rodda: Then when the legislature convened, the issue was addressed. It was Governor [Pat] Brown's first session, and the water plan became an extremely important issue, the issue of that session, in my opinion. Someone discovered that at that time under the constitution the legislature could approve a state bond issue by a simple majority vote of both houses. It would have to be a bond issue authorized by statute, as I recall, and in that event a simple majority vote is all that was required. As a consequence, the administration determined to pursue that course of action, and the state Water Bond Act was developed. It was the Burns-Porter Act, as I recall. Senator Hugh Burns was the principal author. It is interesting, since he was from the southern part of the state, the water plan reflected the interests of the agricultural interests; they wanted the north's water to meet their agricultural needs.

The legislation finally was approved by the senate, amended by the assembly, and returned to the senate for concurrence. I attended a lot of the hearings on this issue because lengthy committee hearings were held. I was not on the Water Committee, but I wanted to be informed. Of course, Governor Brown was actively involved in bringing about the enactment of the legislation.

Morris: But he didn't actually develop the legislation himself?

Rodda: Well, the actual legislation was developed in cooperation with his administration, and the author was Hugh Burns.

Morris: Right. Who particularly would you recall on Pat Brown's staff who worked with Burns?

Rodda: Well, he was the assistant director of the Department of Water Resources. I think that was his title. Ralph Brody.\* He was recently retired, I think (and this ought to be checked out), as the director of one of the biggest water districts in the state.

Morris: Right. But he was somebody that Brown had appointed to the Department of Water Resources?

Rodda: He was in the executive branch of government, and he served in Governor Brown's office. So, he was directly involved in the development of the legislation, working with the members of the legislature and the special interests that were involved. There were a large number of special interests.

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\*See interview with Mr. Brody, California Water Issues, 1950-1966, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1981.

Morris: Which particular groups were those?

Rodda: Well, I can't recall. There would be the agricultural interests, and then there was the Los Angeles Metropolitan Water District, and there were others interested in the legislation. Some of them were against it, especially legislators from Contra Costa County, which traditionally had opposed any effort to utilize the water resources of the north for the--

Morris: Was Contra Costa a large agricultural county twenty years ago?

Rodda: No, it wasn't. It was just that Contra Costa County had consistently opposed it. Their senator then was George Miller. Subsequently he chaired the Finance Committee, and at that time he was a really powerful friend and associate of Hugh Burns, but on the water issue they obviously had serious points of difference. The county's principal concerns were the water quality in the Delta and also the possibility that they might in the future have to utilize northern water themselves and that it might not be available if the state diverted it through the Delta to the south. Those were their two principal concerns.

I think, if you examine the early history of the development of the water resources of California, you will find that the people in that county even opposed the federal Central Valley Project. I'm not sure, but the county has had a long history of opposition. Some of the water districts were concerned for those reasons. They needed the water for agricultural use, industrial development, and they wanted to preserve what--

Morris: That makes more sense in terms of Contra Costa, the industrial development.

Rodda: Right. And the preservation of the water quality of the Delta was an important concern. Of course, their position was so adamant that it was, in my opinion, almost uncompromising.

#### A Responsible Project and Questionable Amendments

Rodda: But there were several northern senators who were of the opinion that if we were going to address the needs of the state, there ought to be a responsible water project, and they supported Governor Brown and his administration in the senate. One of those was Senator Joe Rattigan, who was from Sonoma County. Another one was John Slattery, who was only a one-term senator from Lake County, and I, representing Sacramento County, was one of the group. We wanted to make certain,



Rodda: however, that there was adequate language in the bill, in the water bond act, to protect the water needs of the north and to allow only surplus water to go to the south.

Under Ralph Brody's direction and leadership, the Brown administration developed the legislation. The critical vote was on the senate floor, and my recollection is that Senator [Virgil] O'Sullivan from Colusa County (Virgil represented several counties: Colusa, Glenn, and Tehama) submitted amendments on the senate floor the day the issue was under consideration. I believe that he offered about nineteen or twenty amendments.

Prior to that meeting of the senate, which was so critical, Senator Rattigan and I had met with Ralph Brody and had reviewed the O'Sullivan amendments. The administration was aware of them and was very concerned. We interpreted some of them to be of such nature that they were designed not to "clean up" the bill, but rather to defeat it.

Morris: To confuse the issue, right?

Rodda: Yes. Or make it so unacceptable to the sponsors that they would not even continue their support for the legislation. It was pretty obvious that there was adequate support in the assembly because the assembly was representative of the position of the southern part of the state; the southern legislators controlled it. With the cooperation of the Brown administration, there was no real question about obtaining approval there.

Of course, organized labor was opposed to it.

Morris: To the amendments or to the bill?

Rodda: They were for the amendments, and they were opposed to the bill without the amendments, but the amendments would have defeated the legislation.

Well, Joe Rattigan finally came to me on the floor about the time Senator O'Sullivan was presenting his twelfth amendment, and he said, "Well, Al, we've approved the first eleven amendments and I think that the twelfth and the thirteenth and the rest are going to be negative. They will adversely affect the bill, and they're probably designed to defeat it." But he was of the opinion that we should change our vote from "aye" to "no." It is hard to remember precisely what went on in 1959.

Morris: I know, but this is a view we haven't had before.

Rodda: Yes. So, I said, "Well, that's what I think, Joe." That conclusion was predicated upon our meeting that day with Ralph Brody.

And I said, "I think I'm going to vote no." Rattigan said, "Well, I intend to vote no." Slattery voted no. So the amendments failed. When the amendments failed, we were, in effect, the swing votes, as I recall, on the bill.

The bill was presented on the floor by the author, and it passed. I think the vote was about twenty-two or twenty-one to nineteen or something like that.

Morris: This was our information. As we understand it, Hugh Burns was one of the swing votes. He did not make known what his vote was going to be till the last moment. Is that your recollection?

Rodda: Yes. Even though he was the author of the bill, it was largely an administration bill. It had the support too of the Metropolitan Water District and a lot of the agricultural interests in the southern part of the state.

When I'm interviewed or when I speak to students to describe the legislative process, I often point out that a bill can be developed by the author to reflect this view of the problem, or it can reflect the view of an interest group in his constituency, or it can reflect the consensus of a group of special interests who are sponsoring legislation--say, collective bargaining for teachers; it would be the teachers that might sponsor it. Or it could be legislation developed by the administration, or it could be legislation developed by the legislature as a consequence of committee interim work and the committee activity.

In those days, we did not have the staffing capability in the senate that the legislature has today. Therefore, we were more dependent upon the staff of the executive branch of government.

Morris: So, at that point, it was more likely to be governor's legislation?

Rodda: If it were not a special interest, legislation sponsored by a third-house group, it would very likely be, if it were a major bill, one sponsored by the administration. As I recall, the Water Committee only had one consultant. I might be wrong.

Morris: That's about right for that stage.

Rodda: Ralph Brody, as I earlier commented. The senate Education Committee, for example, did not have a consultant.

Morris: So that the governor's administrative appointees might well serve as consultants to legislative committees?

Rodda: Well, they would provide input or information with respect to the legislation, and he would be significantly involved in its development, as they were in that, the water issue.

Anyway, when the vote was counted, it was approved and sent to the assembly. Of course, it was a ballot proposition because it was a bond act. But bear in mind, it required only twenty-one votes.

Morris: In the senate?

Rodda: A majority in both houses, right.

Morris: To put it on the ballot?

Rodda: Right. And it was approved. In my constituency it was opposed by 60 percent of the people in the 1960 election.

Morris: Did you do a survey?

Rodda: No, that was the way the final vote was. As I recall, 60 percent voted "no." I had voted yes on the bond act, which was not popular in my district.

Morris: With your own constituents?

Rodda: Right. Now, I do recall that the League of Women Voters supported it, and labor opposed it. As a matter of fact, in the election in 1960, labor was very modest, almost neutral, in its support of me. It was supportive, but not with a great deal of enthusiasm, and one of the issues about which they were annoyed was my vote against the O'Sullivan amendments, which they would have introduced into the bill--that's when Joe and I decided to vote no. It was language which is in the federal Reclamation Act, the Newlands Act, and which Joe and I interpreted as being designed not really to promote the feasibility of the project or its desirability, but rather to do the opposite.

Morris: Why would labor have been opposed?

Rodda: I don't know.

Morris: I would have thought a big construction project like that would appeal to [labor].

Rodda: I think it was more on philosophical terms. They probably would have supported it with that language in it.

Morris: But you felt that those amendments would have made it an--

Rodda: They would have destroyed it.

Morris: Where was Hugh Burns on those amendments?

Rodda: I don't recall. You would have to go look at the roll call. That would be an awfully detailed thing to research.

Morris: That would. We'll leave that for some graduate student to research.  
[laughter]

Rodda: Right. It was a very traumatic experience, but the bill went to the assembly, it went to the voters, and they approved it. As I indicated, my community, my constituents, voted against it, and labor was not happy with me because of that action by me. The League of Women Voters supported it. It became law and was one of the major contributions, I think, of the Brown administration.

Now, subsequent to that action, Assemblyman John A. Busterud, a Republican, introduced a constitutional amendment which would have stricken and did strike from the California constitution that language which permitted the legislature to place on the ballot a bond act by virtue of a simple majority vote. I went to Governor Brown and said, "If we do this, it is going to be difficult in the future for us to qualify bond acts. I think we ought not to approve this amendment." He was not interested in my concern. I spoke against it on the floor, and I think there were only nine or ten votes against the Busterud constitutional amendment. It went on the ballot and was approved. So, today if the senate had not been reapportioned in the meantime, one never could have gotten a water bond act through the senate.

Morris: That's interesting that it was that way at the state level, because one of the issues in local government has been that local bond issues do require a two-thirds vote, and I know there have been efforts at the local level to change that.

Rodda: Right. But ours just relates to the vote in the legislature.

Morris: Not on the ballot?

Rodda: Right. On the ballot the vote is a simple majority.

#### Bond Issue and Cost Estimates

Morris: On the matter of the amount of those bonds, I gather there were some feelings that the--wasn't it \$1.75 billion?--was not a realistic figure for the construction contemplated, even in 1960.



PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

COMMISSIONER

September 20, 1983

STATE BUILDING  
SAN FRANCISCO, CALIFORNIA 94102

Gabrielle Morris, Project Director  
University of California  
Regional Oral History Office  
The Bancroft Library  
Berkeley, California 94720

Dear Gabrielle:

Thank you for your note of September 2nd and your follow-up questions re Welfare Reform. My response:

"Operation Crossfire" is a term that some Department (Department of Social Welfare) crew used. We never heard of such a phrase - but it would be typical of some of the ideologues working on drafts. Some of them really wanted to fight the "evil" legislature rather than pass a bill.

But the initiative effort was certainly not a secret. Actual initiative petitions were in print. County initiative organizers were sending form telegrams telling us to "pass the Governor's bill". This appeared ludicrous to some of us intently involved in the negotiations as we were then in the middle of compromise efforts. I told the Governor just that. And Reagan-inspired telegrams certainly had no effect on the likes of Tony Beilenson, Leo McCarthy and Bob Moretti.

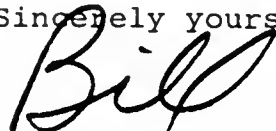
Nor do I believe, as your question implies, that the Governor's people remained "firm" because of the proposed initiative. To the contrary, we were far along toward agreement when the telegrams began to arrive.



Nonetheless, the threatened initiative did have an impact, certainly on me and I assume on other legislators directly involved. I, for one, considered the contents of the initiative proposal (it would have been the Administration's draft without any proposed legislative changes) as pitting the taxpayer against the poor. I'm sure that the former would have won the initiative election but, sociologically, that "fight" would have done damage. That concept certainly motivated some of us to bring a passable and palatable bill to the floor. But again, I noted no "firming" of positions on the part of the Governor and his immediate staff. To the contrary, Governor Reagan "gave" on a lot of issues - he wanted to pass and sign a bill.

Hope this is helpful to you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bill", written over the typed name.

WILLIAM T. BAGLEY





Rodda: Right.

Morris: Did you have any feeling that that might be the case?

Rodda: Well, we all had some reservations, but, of course, in those days, we were not accustomed to such dramatic inflation and I personally was not involved in the fiscal implications as a freshman member of the senate; so I was not as fully informed on that issue as some of my colleagues were. I think I had to act on faith and accept the administration's position as being responsible, with the understanding that if subsequently the funding were inadequate we would have to--

Morris: Find some more money somewhere?

Rodda: Right.

Morris: On the business of Hugh Burns waiting until the last minute on it, were there some suggestions that there were some trade-offs that he was hoping for?

Rodda: I was not close enough to Hugh in those days, being a freshman, to know. I merely recall that I was surprised that he was the author because he had no expertise in the area, and it was pretty clear that he was not aggressively pursuing that legislative proposal and that obviously he had some reservations. That is my recollection.

Incidentally, in this connection, and I think it is somewhat relevant, subsequent to this action, in about 1962 or '63, the issue of the Peripheral Canal was developed as a concept. A member of the Department of Water Resources, whom I highly regarded and who is no longer there, conceived the idea of the Peripheral Canal. There were several other approaches to that aspect of the problem, which was understood to be very important. One was a solid or fixed barrier, and the other was an hydraulic barrier, and, of course, the other is the Peripheral Canal. At that time, the [Department of] Fish and Wildlife people were very supportive of the concept of the Peripheral Canal as the approach which would most likely preserve the quality of the water in the Delta and be the least negative with respect to its impact on fish and wildlife.

#### Conservation Problems and Proposals in the Delta

Rodda: Incidentally, the conservationists in those days were not as active as they are today. It is really amazing. They were hardly, in my opinion, aware of the Delta in many respects. One of the big issues in 1960 was levee-stripping because the Army Corps of Engineers was

Rodda: imposing a strict mandate upon the reclamation districts that they cut the trees off the Sacramento River levee. There were just a few areas where there continued to be that kind of growth and so levee-stripping became an issue.

Senator George Miller and I became very much involved because we thought that it was inappropriate since it would destroy the scenic beauty of the Delta. I authored a resolution which called for a study of the Delta with the object of trying to determine if there were an alternative or to discover whether the Army Corps of Engineers was being irresponsible or whether the problem was as serious as they indicated it was.

Well, the result was a study which incidentally established the basis for the development of planning for the recreation and the scenic beauty of the Delta, and we did succeed in stopping to some degree levee-stripping. We also were able to develop some experimental programs to determine what kinds of growth could be allowed on the levees and how the scenic beauty of the Delta waterways could be preserved in the future without creating a threat to the Delta agricultural lands.

Morris: To navigation?

Rodda: Right. The landowners, who are under obligation through their reclamation districts to maintain the levees, were under obligation to maintain them in accordance with certain standards. If there were a disaster, the United States Army Corps of Engineers would provide the funding to address the issue of the flood and the consequences, which would mean rehabilitation of the levees. But, absent that, they, the landowners, were under an obligation to maintain the levees structurally in such a manner that they would reduce or minify the flood threat. So the reclamation districts were under pressure from the Army Corps of Engineers to cut the trees because they were told, "The trees jeopardize the levees and your land and constitute a potential cost to the Army Corps of Engineers."

Morris: Coming in to repair them?

Rodda: Right. For repair and restructuring.

Morris: That's interesting. As a layman, I would think that trees would tend to hold the levees in place.

Rodda: But their argument was that they did not. There is a problem in the Delta because of the foundation upon which the levees rest. If too much weight is placed upon the levees, they sink. Therefore, the reclamation districts must be careful about the kind of material

Rodda: they use in levee construction. Furthermore, if the trees are allowed to grow, the root structure tends, in the opinion of the Army Corps of Engineers, to weaken the levees and, during the flood time, to make them more vulnerable to--

Morris: Washing out?

Rodda: Right. And so what the army corps did was to cut the trees and riprap the levees. Riprap consists of rock and cement structures that are placed along the river. So if the Army Corps of Engineers had had its way, the entire Sacramento River and the Delta area would have been stripped of trees and entirely riprapped. The levees would be much safer, but they would totally lack scenic beauty.

The thing that I started to tell you about is that the conservationists gave me very little support in my effort to stop the tree stripping.

Morris: Did you go to the Sierra Club and other [conservation organizations]?

Rodda: No. But they really became [chuckles] somewhat aware of the tree-stripping problem when I spoke to them once, but that was after the problem had been resolved pretty much. It is kind of interesting. So they were not as significantly involved in the Delta aspect of the water project in those days as they are now, and that is one of reasons why our efforts to build a Peripheral Canal today are experiencing difficulty, because--

Morris: Conservation interests have become more of a factor?

Rodda: Yes! They are more active, more involved, more aggressive, and more powerful. In those days there were very few men in the senate who were environmentalists, and there were no women--that's not a sexist remark. [laughter]

Morris: No. [chuckles] It's a fact of history.

Rodda: A fact of history, right. --Not oriented toward conservation and preservation of the environment or the view of the contemporary ecologists. But, I suppose, had they been as influential then as they are now, we might never have built the State Water Project.

Morris: That's an interesting observation.

Rodda: Right. But the Peripheral Canal then in the early sixties was looked upon as the best solution, as I've indicated to the Delta transfer problem, and we could have built the canal then for a very small amount of money, maybe \$95 million or \$100 million.

Morris: How come there wasn't a vote on it at that time?

Rodda: Well, we were not ready. The project was still in the process of construction, and the Peripheral Canal was a concept which was being explored, and even then there was some opposition to it.

Morris: From the area specifically involved?

Rodda: Right. And, of course, there was opposition from people in the north. Subsequently, of course, the senate was reapportioned in 1966. Many northerners were replaced by southerners. Even so, there were many people who were fearful that the construction of a peripheral canal--of course, Governor Brown was no longer governor--would create a situation in which we would lose water to the south, and, also, that its construction would create a situation which would be damaging to the recreation, wildlife, and the water purity in the Delta. Furthermore, the environmentalists were becoming much more influential politically in the late sixties and early seventies.

Those were the three factors probably that thwarted us from building a peripheral canal then. It was early during Brown's administration when the concept was being developed and when it was the subject of hearings. At the time Governor Brown was defeated and senate reapportionment took place, the concept was seriously being considered.

Morris: The picture changed, the persons?

Rodda: Yes, the political picture had changed.

Morris: You said that you worked closely with George Miller on the levee-stripping question. How did you find him as a person to work with?

Rodda: He was definitely interested in the Delta. That was one of the reasons why he had not supported the water plan. He, as chairman of the Senate Finance Committee, as I recall, chaired a hearing on that issue, levee-stripping, and during that hearing he verbalized his concerns, although he was not as actively involved as I was in developing the legislation which brought about the study. The effort did not totally resolve the issues, but it helped a lot, I think, because absent the legislation, the study and administration support, nothing positive would have been done.

Incidentally, out of the study emerged a rather dramatic plan for the scenic and recreation development of the Delta. It was sponsored by Senator Hugo Fisher, who had been appointed the Secretary of the Resources Agency, prior to his appointment to a judgeship. The plan even called for the development of the Delta

Rodda: meadows as a park, and the Consumnes River as a parkway and recreation area for twenty-five or thirty miles. There were all kinds of features to the plan and Hugo Fisher, as secretary of the Resources Agency, was active in advocating it. Hugo was a very strong conservationist and a genuine advocate of efforts to preserve the Delta and to develop its remarkable recreation potential and to preserve its scenic beauty. Because of his leadership, the Brown administration was definitely positive in that regard.

Morris: I'd like to talk about Senator Fisher some more. I'd like to go back to one more question on George Miller. I was thinking about George Miller as a person to work with in relation to Hugh Burns, who you said was rather a difficult person, from your point of view.

Rodda: Well, he was never unfriendly toward me, but our relation was difficult because our philosophies were different in some important respects and our styles of operation were very different.

#### Relations Among Legislative Colleagues##

Rodda: And, of course, Senator Virgil O'Sullivan was active in the Democratic party, and there was Senator Stan Arnold, who was appointed as a judge of the superior court in the northern part of the state. Stan worked closely with George Miller, Steve Teale, and Virgil O'Sullivan, and George was close to Hugh Burns. Burns, of course, worked very closely with several Republican senators--Richard Dolwig, for example, and Don Grunsky, and Charlie Brown in the old days, the fifties and early sixties. I'd have to go back and look at the roster to identify some of those individuals with whom Burns was close.

But it was an interesting political coalition. In the middle was Hugh Burns who was the leader. On both sides were Democrats and Republicans. They controlled the powerful Rules Committee. Through the Rules Committee, Burns, with the support of these two elements in the senate, leaders in both parties, really was the leader of the senate and he was very powerful and influential.

George Miller did not share a lot of Burns' conservative views because in many ways George was a liberal, more a traditional liberal. But he was a man who recognized that you had to live with the political facts of reality and that you had, therefore, to be willing to make compromises.

Morris: It sounds as if you and Senator Miller might have been fairly close together in political philosophy.

Rodda: Well, on some issues we were, and on other issues we were not. We differed on school finance reform. We differed on the abortion issue, which developed later on, in 1967. We differed on the water plan. But in many other areas we were in basic agreement because we were essentially traditional type liberal Democrats. I would think that I was more liberal, however, and I was also less cooperative with the third house than was George. I did not have to contend with the third house to the degree that he did because I did not have the power and I was not seeking it.

Morris: You're suggesting that the more powerful a legislator is, the more he has to deal with lobbyists.

Rodda: Oftentimes, especially in the old days, that was the case. I think the third-house people in those days had more influence; so they could promote the power of one individual senator and they could discourage the advancement of another.

Morris: Was there ever any effort to work, say, with George Miller, who was a powerful person, and try to oust Mr. Burns as the Speaker?

Rodda: Well, I can comment on that, but first I would like to make it clear that George and I were in disagreement on another issue; that was on the question of reapportionment of the state senate.

Gene McAteer was another very powerful Democrat, and he worked very closely with Burns. As a consequence, he and George Miller were somewhat involved in a rivalry with respect to their roles in the senate. McAteer was very aggressive and very ambitious and less liberal than George. He was, also, more erratic in that regard and one could not always predict what he was going to do.

So there was George supporting Burns and there was McAteer supporting Burns. Sometimes George and McAteer worked together. Usually, however, George had the support of O'Sullivan and Teale and Arnold. They were a powerful four. But in those days the Burns coalition was very strong, and even though ten freshmen, I think it was, came into the senate in 1959, it did not constitute such a significant change in the personnel of the senate that it could seriously threaten the power of Burns.

Many of the new senators were liberal and reflected in their thinking the traditional liberalism of the '40s and the '50s and tended to support the liberals in the senate, who were not as closely identified with Burns and Miller. What I'm trying to say is that those of us who were more liberal, Senator Holmdahl, Fisher, Stiern, Rattigan, Slattery--and I include myself in that class--identified more with Alan Short, Jim Cobey, and Fred Farr. McAteer was more closely associated with the traditionalists. Senator O'Sullivan

Rodda: was liberal in many areas, but he generally identified with Steve Teale, who was very close to George Miller. So you had an interesting distribution of interests, philosophy, and power in the senate among the Democrats.

My colleagues and I, the liberal ones, began meeting at a breakfast once a week. We met at a restaurant that is no longer in operation--I cannot even remember its name--over on 10th and L, on the corner. We would breakfast and discuss issues which related to the operation of the senate. Incidentally, there were no party caucuses in the senate at that time.

Morris: I sort of assumed they'd had them forever.

#### Liberal Caucus and Conservative Coalition

Rodda: No, no. The party caucuses came into existence at a later date, and that's an interesting history too. I was somewhat involved in that development.

Since there were no caucuses, there was no way to develop a party position. Thus, if the liberal Democrats wanted to develop a position, they had to meet outside the senate, and so we began to meet for breakfast. Now, that breakfast group is still meeting; although, I am the only one who was part of the original group.

Morris: You still meet together?

Rodda: Yes. We meet at Original Mac's, but today it's all the Democrats who meet.

Morris: It's now a part of the caucus operation?

Rodda: All of the senate Democrats are invited to meet; however, some do not attend. But a few years ago it still was a select group, and it was that select group which provided the political organization and unity within the Democratic party to oust Burns. At that time, the party caucuses had not been authorized. That action developed after 1966, after senate reapportionment and after election to the senate of men such as Al Song, Jim Mills and Al Alquist, Merv Dymally and Tony Beilenson, who were liberals in the assembly and had been affiliated with Jesse Unruh and who weren't too sympathetic to Burns' and the Democratic party's operation of the senate. So they wanted a change.

Rodda: The impetus for change was a result of reapportionment, which brought into being the Democratic caucus and brought into being a coalition of Democrats anxious to oust Burns. I was opposed to that change because at that time there were twenty-one Democrats and nineteen Republicans.

Morris: That's close.

Rodda: Right. Then it became twenty-twenty, and I still concluded that if it's twenty-twenty, we Democrats would make a mistake to support a Republican. Then Senator George Miller died and was replaced by John Nejedly, a Republican. If my memory is correct, and I think it is, that made it twenty-one Republicans, nineteen Democrats. At that juncture, I became willing to support a movement to change the leadership and support a responsible, moderate Republican. My colleagues chose to support Howard Way, and he won the office, and I voted for him.

Morris: It was better to have a new person in the pro tem spot than to continue to have a Democrat?

Rodda: When it was twenty-one Republicans and nineteen Democrats, I thought that since they were the majority party, they should have control of the senate through the leadership of the president pro tem and, also, through control of the Rules Committee. You'd better check the history because I'm speaking extemporaneously and from memory.

Actually, Hugh Burns was at one time very much annoyed at me, because prior to the election of Howard Way, there was a motion on the floor to have an election of senate officers in the middle of the session, which meant that we would have to approve a rule change. Of course, if a senator voted for that motion on the floor, it had to be interpreted that you were interested in an election to unseat Burns. I voted for it.

Morris: For the rules change?

Rodda: Yes, which failed, as I recall.

Prior to that, I had been assigned to the Finance Committee because I had gained seniority and because many of my senior colleagues had been ousted because of reapportionment. I was removed from the Finance Committee by Burns, subsequent to the vote on the resolution to have an election of senate officers. Burns regarded the resolution as a threat to him, which is what it was; so he punished me. Then, after Burns was replaced by Senator Way, I was reassigned to the Finance Committee by Senator Way. I knew that I would have to pay a price if the effort to unseat Burns failed, and yet, I must say that Hugh had never disciplined me before that incident, although on many issues we were in disagreement.



- Rodda: The senate in those days strongly respected the principle of seniority. Of course, there were exceptions made; so if you were associated with those in the senate who had the power, more recognition was given to your seniority than if you weren't.
- Morris: If there wasn't a caucus in the early years of the Brown administration, how did Mr. Burns convey what he expected people to do?
- Rodda: The assembly had party caucuses; we did not. Furthermore, the assembly had always been structured in a much more centralized manner than the senate. That derived from the fact that the speaker assigned bills to committee, appointed members to committees, and appointed committee chairmen. The assembly had vested in the speaker considerable autocratic power. Burns had such power, but he didn't abuse it. He had it by virtue of the fact that the Rules Committee made all those decisions, and he totally controlled the Rules Committee. The Rules Committee in effect was Burns' committee and so Burns made the critical decisions.
- Morris: But if you weren't a member of the Rules Committee or the Finance Committee or that group of five committees, how did the pro tem make it known that he wanted you to vote thus and so.
- Rodda: Well, to a certain extent, the senate was a more independent body than the assembly. On issues which were of importance to the Brown administration, the Brown legislative liaison secretary used to contact the individual members and, by virtue of those contacts and by virtue of meetings that we held with the governor, what might be described as an administrative position was sometimes developed. The governor could influence Senator George Miller to support him, the governor was in a very strong position. And, of course, if he could influence President Pro Tem Burns, he was in an awfully strong position. Normally Pat Brown's position was one with which the liberals and moderate liberals identified because he was, I think, a moderate liberal. So he had, therefore, a broad base of power on such an issue.

Did you see any of the papers that I wrote about the Brown administration?\*

Morris: I did. I think they're very fine.

Rodda: Well, I mean, they were just summary statements of what he did.

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\*"Introduction of the Honorable Edmund G. Brown," Governor's Hall, May 12, 1966.

Rodda: So, the senate operated under that kind of an arrangement, and since Burns oftentimes worked with the Republicans, there was a kind of a quasi-conservative or conservative coalition contending with the administration, which was working with the more liberal Democrats and trying to develop a coalition within that element of the senate. When Miller defected the governor had problems.

Morris: And [Miller] went over to Burns on a given issue.

Rodda: Right. Or if McAteer, or Steve Teale might. But the governor usually had Hugo Fisher as a strong ally. O'Sullivan normally was a strong ally. Rattigan normally worked with the governor, and I did; on most issues.

Morris: Did Governor Brown ever come to your breakfast sessions?

Rodda: No. That was a small and kind of exclusive group. It did not have any power in those days, but it provided those involved with a means of discussing issues and trying to evaluate what our position ought to be.

## VI EDUCATION POLICY AND FINANCE

### Problems of School Funding and Unification

Morris: Let's talk about education for a bit. When you first came into the legislature, that was the beginning of a period of several increases in funding for education.

Rodda: Yes. We had problems in funding the schools because we had an unfair system of school finance, one which favored so-called wealthy districts, and we also had a school finance law in which the state's allocation to the schools did not adjust for inflation each year, so it developed what is known as "slippage." In addition, there were too many school districts, obviously.

The slippage, of course, was a big issue as was the inequitable financing. The excessive number of districts was an issue but less critical. Obviously there were some reforms needed. The so-called slippage resulted because if the assessed value of the property in a school district increased per student, the state's allocation or apportionment per ADA [average daily attendance] was reduced, and that meant that the school district had to obtain more of its funding from the local taxpayer. So there was a shift of money to support the schools from the state to local government. From time to time, we were under pressure and obligation to overcome that issue by increasing the state's apportionment to the schools, and since the state's revenues did not increase as rapidly as inflation, the second issue, the fact that low-wealth districts were more dependent upon the state than were high-wealth districts, created problems because the low-wealth districts had to operate at a much lower level of support per ADA. There was reason to argue that that deficiency should be corrected. The wealthy districts received \$125 per unit of ADA, which was basic aid, and the poor districts received equalization money, which was a reflection of the wealth of the district per unit of ADA. The lower the district wealth, the greater the state support. There was an inverse relation.

Rodda: Now, that issue led to some concern about the possibility of the need for the introduction of a broader tax base to support the schools, and the first concept which was designed to achieve that objective was the countywide school tax, which I will discuss.

Then there was the other issue of providing a mandate in the law to require, under certain conditions, that school districts integrate. There were separate high school districts and independent elementary districts. There were a number of counties in which there should have been a smaller number of districts. Jesse Unruh was very much supportive of that idea and pushed legislation to achieve that objective--school district unification.

Now, I cannot remember all of the specifics, but I became involved in the issue of school finance reform in 1964, and I authored SB 65. It was the bill which provided for a countywide tax base for local schools.

I can remember the meeting that occurred with respect to that issue. The governor wanted to initiate school finance reform legislation and he wanted a senator to sponsor it. He called the members of the Senate Education Committee into his office, which was not uncommon for him to do. Governor Brown usually sat at his work desk, which was like mine in that there was paper all over it although his desk was cleaner than mine. The meetings were very informal and conducted in a comfortable atmosphere, with chairs like this [gestures] surrounding the desk, and both the Republicans and Democrats who were members of the committee sitting together and carrying on a conversation, or dialogue, with the governor.

Pat outlined the school-finance reform bill that he had been developing with his staff people and in conjunction with, I think, the Department of Education. In those days, believe it or not, the Department of Education was not as effective in providing leadership as it subsequently became.

Morris: If we're talking about 1964, that's when Max Rafferty was superintendent.

Rodda: And even before that time, under his predecessor--what was his name?

Morris: Roy Simpson.

Rodda: Yes. Roy Simpson. As a matter of fact, at that time, school finance legislation was usually authored by assemblymen and under the sponsorship of the CTA [California Teachers Association]. The CTA used its staff people to develop the legislation, and the Department of Education was only incidentally involved in its

Rodda: development. The principal author of school finance legislation during those years was Assemblyman Ernest Geddes and he was very cooperative with the CTA. As I recall, he was from the south, not the Geddes from San Francisco.

Morris: Yes. He's the one from down around Claremont, right?

Rodda: Yes. He was the outstanding leader in the legislature in the area of school finance legislation and was involved in the school finance legislation as I outlined.

Pat Brown, as governor, wanted to initiate a school finance reform, which was the countywide tax. He presented it to those present. The legislation had other elements, but I've forgotten what they were. However, no one wanted to introduce the proposed legislation because a lot of the senators were representatives of counties in which basic-aid schools prevailed; the rural small school districts tended to be basic-aid because they had a high assessed value per ADA which was essentially valuable agricultural land. Therefore, their schools would have been adversely affected if there were urbanized, or low-wealth areas within the counties. Senator Rattigan did not want to initiate such legislation, and Senator Miller was very adamant against it.

Morris: Right. Contra Costa still has a lot of unincorporated areas.  
[laughter]

Rodda: Right. And none of those present at the meeting would volunteer. I often describe myself as the mouse that bells the cat, so I said, "Well, all right." The governor did not want me to be the author since I was not a distinguished member of the senate. I did not have the status that Joe Rattigan or Hugo Fisher or some of the other members did. I authored it, however; under the circumstances it was the only option.

The bill was passed out of the Education Committee, and sent to the Finance Committee, which was chaired by George Miller, who, as I stated, was adamantly against it, despite the fact that he was on the Education Committee. George didn't kill the bill in the policy committee, but he did kill it in the Finance Committee. We had a lengthy hearing over an hour, and he argued very reasonably against the concepts commenting that what I was doing was to increase taxes in Martinez and Pittsburg, and adversely affecting the working people who resided in those areas because taxes on their homes would increase. The effect was to take money from the blue collar workers and give it to the districts in Walnut Creek, Lafayette and Concord, where the affluent middle class resided--those who were executives working in San Francisco, he said.

Morris: [chuckles] That's a good summary of that situation.

Rodda: George said that those communities "had zoned industrial and commercial enterprise out of their communities but they want to take tax revenues from the industrial areas in the county. It's not fair, Al."

And then, of course, the oil industry opposed the bill, as did the steel industry. In fact, the industrial community was completely and adamantly against the bill, which was stupid. It might not have been a good concept, but it did have merit and we needed the reform. Had we reformed, we wouldn't have had the Serrano decision. I tried to convey that impression to the basic-aid school districts, but they refused to listen.

Well, the bill failed, and the next school finance bill was AB 145, I believe, which was authored by Assembly Speaker Jesse Unruh, and it contained language in it which mandated unification elections. It also added more tax money to the School Fund to offset the slippage. It may have had another element or two of reform.

Morris: At some point, I think Brown had proposed an increase in sales tax as, in effect, an equalizing measure with that cent was to go to school finance. Was this the same bill?

Rodda: I think that occurred a little bit later on, but I wouldn't want to be insistent upon that. My recollection is that the Unruh bill was basically a school finance bill, and that it contained those two elements. It was signed into law. I was on the conference committee and I don't know why. George Miller got me on there, and I can remember the conference committee meeting.

Morris: At this point there were some differences between Unruh and Brown, wasn't there? And there was some thought that part of the problem of getting the bill through was that Unruh didn't want to do it the way Brown did. Is that correct?

Rodda: Well, as I previously indicated, Governor Brown had been in support of the countywide school tax, and he was still interested in school finance reform and in using the critical school finance situation to gain the political leverage necessary to enact reform. Jesse's position, in my view, was more practical: the school needed an increase in their funding and his legislation did provide some property tax relief, and would achieve economies in the administration of schools, through the elimination of some school districts.

I'm having a little bit of trouble remembering all the issues. But that would be my superficial observation. Now, maybe that paper that I've written will clarify some of the differences. There were serious differences between Unruh and Miller, though on this issue.

Morris: On school finance?

Rodda: Yes. The administration had pretty much decided that the best that it could expect to enact would be a school finance bill which provided more money for the schools as an offset to the adverse effect of slippage.

Morris: How would that bring about property tax relief?

Rodda: Well, if you allocate more state money, the districts have the option of reducing the local property tax. The districts operate under tax rate limits. That means that with more state money the local tax rate would produce more revenue than was needed, so the districts would reduce their budgets and the property tax rate would fall below the limit. Now, if they did not exercise that option, the tax rate would not decline and there was pressure on them to do so.

Morris: Were you getting pressure from taxpayers' associations on this?

Rodda: In those days, what we had was a school foundation program, which was the amount of money that should be spent per child. But a district could spend more than the foundation program if it wanted to and if the voters approved such action. In many school districts, they were living within the limits of the foundation program, however. The state provided each district with basic aid, which is \$125 per ADA. If you apply the tax rate, and the tax rate generates a given amount of revenue, but fails to generate enough revenue to fund foundation programs, the difference is made up by the state and is called equalization money. If the state introduced more equalization money, then, since that increased the amount available per child, the local tax rate could be cut, or as I observed, the district could operate at the foundation without increasing the district's expenditure level. So, there was a certain amount of leeway given for local--what's the word I want to use?--autonomy or freedom.

The state could raise the foundation program and apportion more money to the local districts, or it could just introduce more state money. Normally what the state did was to raise the foundation program and also apportion more state money. It's hard for me to recall all the specifics.

But if we did not modify the foundation program and the district became more wealthy, then, by definition, since it was a wealthier district, the equalization allocation was reduced, which meant a savings to the School Fund, which meant a savings to the state's General Fund. So to avoid that development, the state would introduce more money into the School Fund, or raise the foundation

Rodda: program and also apportion more money to the schools. It could have the effect of causing or producing tax relief, or it could have the effect of leading us into a more precarious fiscal situation.

State Deficits, Tax Alternatives, and Tax Relief Efforts##

Rodda: The choice was between adjustments in the income tax or the sales tax. The sales tax, because the rate of inflation in those years was not too dramatic, tended to have an elasticity of .95. One could examine history for a specific elasticity. I'm just reciting from memory. The personal income tax, though, because the state had not indexed the personal income tax, was modestly elastic. The sales tax rate was lower then and the income tax less a factor in raising revenue. So the tendency was for state revenues not to increase as rapidly as did the cost of government.

So when Governor Brown was elected, there was a deficit which was incurred during Governor Knight's administration, and state taxes had to be increased in Brown's first year of administration. I've forgotten the specifics. When Governor Brown left as governor, the fiscal situation was bordering on being very critical, and a tax increase was necessary.

Morris: Right after he came in.

Rodda: When he came in and when he went out. So, when Governor Reagan was elected, he was confronted in his first year of administration with a deficit situation.

Morris: Some people say you can't have a deficit in state government because the constitution says there will be a balanced budget. How does that--?

Rodda: Right, which meant that the state can fund the budget out of accumulated reserves or surpluses, and that is what the state is doing today. Actually, today we're on a deficit-operation basis. The state is spending more than \$1 billion in excess of its revenues, but it has an accumulated General Fund reserve which is being used to make up that deficit. That General Fund reserve will be exhausted at the end of 1980-81. So, as long as you have reserves, then you can do it; otherwise you have to reduce your expenditures, or raise taxes.

Now, the constitution has since been changed. It then required that if the governor introduced a budget and there was a projected deficit, the governor would have to propose a tax increase.



Morris: Required that a tax increase be proposed?

Rodda: Right. He would be required to propose one, which is what Governor Brown did in his last year in office, in 1966.

But in those days, the sales tax required a simple majority vote for approval of an increase, and the personal income tax also, but the corporate income tax and the insurance and bank franchise tax both required a two-thirds vote. So it was easier to tax the people through a sales tax increase or a personal income tax increase than it was to tax corporate enterprise.

In those days, the popular tax for increase was the personal income tax, principally because many working people had not, because of inflation, moved into high state income tax brackets.

Today the personal income tax is not popular with the working people. We increased it under Reagan's administration, and we have not indexed it; so the higher rates are generating a greater proportion of the state's revenue than under Brown. The state increased the sales tax by one cent in 1972 under Reagan's administration. The purpose of that increase primarily was to provide [property] tax relief. In the first year of Reagan's administration, as I recall--now, I might be wrong on this; you'd better check it out--we increased the personal income tax to balance the budget. There is a term that we used when Governor Brown was seeking a means by which he could count, as a revenue, taxes which had been levied, but not collected.

Morris. That's the accrual accounting?

Rodda: Yes, right. Accrual accounting, and the Republicans did not want the state to implement it. If Governor Brown could have implemented it permanently in 1966, the situation would have been more favorable. The state was confronted then with a modest deficit situation of about \$150 million, I guess. I do not recall the exact figure. The Republicans did not want accrual accounting and they did not want a personal income tax increase. There were other elements in Governor Brown's tax proposal; I think, a corporate profits tax increase was another element. So there was opposition from the Republicans, and Brown could not achieve enactment of the legislation.

Reagan, therefore, inherited a deficit situation. He inherited a balanced budget, but it was clearly going to become a deficit budget at the end of his first year, so he had to do something.

Morris: How did a deficit develop during the Brown administration?

Rodda: Well, the situation is such that when expenditures are going up like this [draws chart] and revenues are going up like this, at a lower rate, there may be a year-end surplus, but if one projects expenditures and revenues into the next year, one knows that there will be a deficit. If one has such a deficit and a cash reserve, one can use the reserve to balance the budget. When the reserve is exhausted and if the trend continues, the budget must be cut, or taxes increased.

I wasn't on the Finance Committee in those days, and I was not as close to the fiscal situation, therefore, as I am now, and I had other concerns. I'm relying on a memory which probably is not too accurate.

Morris: While you were on the Education Committee during the Brown years, your concern was more with the program than with the funding of it?

Rodda: Education and issues confronting the schools were a major concern. I was on Local Government and I was concerned about local government. I was, also, on the Committee on Elections and subsequently I became chairman for about two years.

But the point that I'm making is that the state often was confronted with a potential deficit at the end of a fiscal year in the '50s and '60s. Governor Knight had balanced a budget in his last year, but he knew that the next fiscal year, without a tax increase, the cost of government would have to be reduced because a deficit was confronting the state. That was the situation which also developed the last year, I think, of Pat Brown's administration, and I do not recall exactly how he addressed it.

Morris: Accrual accounting was approved, I think, before he left office.

Rodda: Yes, for one year. That was the issue, the last year, I think of Brown's administration.

Morris: But it was not well received, I take it.

Rodda: Right. It was opposed for a long time. I wish I had reviewed some of this material because it is awkward for me to recall the details. Despite the accrual accounting there still was a deficit situation and, I think, under Reagan the state increased its taxes the first year of his administration, including the personal income tax. Then in '72--Reagan went into office in 1967--under the provisions of SB 90, about \$1.1 billion in new revenue was provided. There was an increase, I think, in the corporate profits tax, very modest, for the business inventory buy-out and there was a one-cent increase in the sales tax, which generated about \$600 million.

Rodda: As a consequence, the state had a surplus, as I recall, which was returned to the taxpayers and to the schools. Of the total amount, the schools obtained around \$500 million. But because of the restrictions on the schools under the law, they could only spend about \$150 million for education. The rest of it was used for tax relief to address the issue of slippage. ,

Now, the bulk of the other portion of the tax relief legislation, SB 90, was to increase the level of buy-out of the business inventory, which had first been initiated by Senator Deukmejian, as I recall, in a bill in '68, I believe, or '69, which provided for a very modest reduction in the business inventory tax, and which was paid for by business because of a tax increase. The business inventory buy-out was increased to about 50 percent, I think, in SB 90. The homeowners' exemption was increased substantially; so the legislation provided a reduction in the tax on the homeowners. The state made up the loss of revenue to local government through the utilization of SB 90 revenues.

Well, I did not vote for SB 90, because I argued that we should have addressed the issue of the Serrano-Priest decision.\* The state was confronted with that decision in 1971.

Governor Reagan, in his first year, benefitted from accrual accounting; nevertheless he had a deficit the following year and the state had to increase taxes. And when the state increased the personal income tax, it made its tax base more elastic, and so therefore the state has been less threatened with deficit financing since that time.

But Governor Reagan, in one of his years, had a deficit which he financed out of surplus, because the last few years of his administration--and I've got to stop talking about this administration because it does not relate to Governor Brown--we were experiencing a business recession. I will show you the diagram. I have a diagram here. Here it is. [locates diagram in a stack of materials]

Morris: You keep charts on these things?

Rodda: Well, I'm writing a paper on Jarvis II, you see.\*\* It's a two-part paper and I'm going to write a third part. Over the weekend I'll dictate it.

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\*Serrano v. Priest was a California Supreme Court decision in 1971 which declared that the current system of financing schools primarily by using property taxes was unconstitutional. Mr. John Serrano of East Los Angeles initiated the suit on behalf of his son, John Anthony Serrano, against state Treasurer Ivy Baker Priest. The decision directed the California legislature to equalize spending on the schools within specified limits.

\*\*"Fiscal Implications of Jarvis II," Albert S. Rodda, January 15, 1980.

Rodda: But this [indicating diagram next page] is to demonstrate the situation. You see, this is 1973-'74, and we had a deficit of \$413 million, but the state had coming into that year a surplus. I call it the General Fund reserve; it's a better term than year-end surplus. So, as long as the state has a General Fund reserve which exceeds your yearly deficit, the state is not under the constraints that the constitution mandates to increase taxes. The deficit can be funded out of reserve funds.

In the next year, 1974-'75, the state had a modest surplus, which increased the General Fund reserve. [Jerry] Brown's first year, an austere year, the state was still in the recession. Gee, the reserve was \$144 million. Thereafter the reserve increased. But then the state addressed the issue of [Proposition] 13, and began chewing up the reserve.\* Now the state has a situation in which it is funding on a deficit basis, and we are getting into a situation in which next year the state will have to have a very austere budget.

If [Proposition] 13 had not passed, the state would have had a fat surplus which would have been returned to the voters as provided in SB 1, in the form of renter relief, homeowner relief, and a full buy-out of the business inventory tax. But we did not enact that program in a timely enough manner or in a substantive enough manner, so the voters did Prop 13. They rejected Prop 8 and SB 1, the legislature's program.

In Pat Brown's administration and also during Reagan's administration, revenue elasticity was not as great because the state did not rely so fully on the personal income tax and because the state was not experiencing such rapid economic growth and there was not a high level of inflation. The sales tax was generally moderately elastic. It seems that in the last couple of years, however, it became fairly elastic.

Morris: The sales tax?

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\*In June 1978 California voters approved Proposition 13, an initiative ballot measure sponsored by Howard Jarvis and Paul Gann that sharply lowered the amount of property tax that could be levied by city and county government. The drop in local revenues was alleviated for several years by "bail out" funding from state revenue surpluses. "Jarvis II" was the popular name for Proposition 9 on the June 1980 ballot, an initiative for state income tax reduction, which was defeated at the polls.

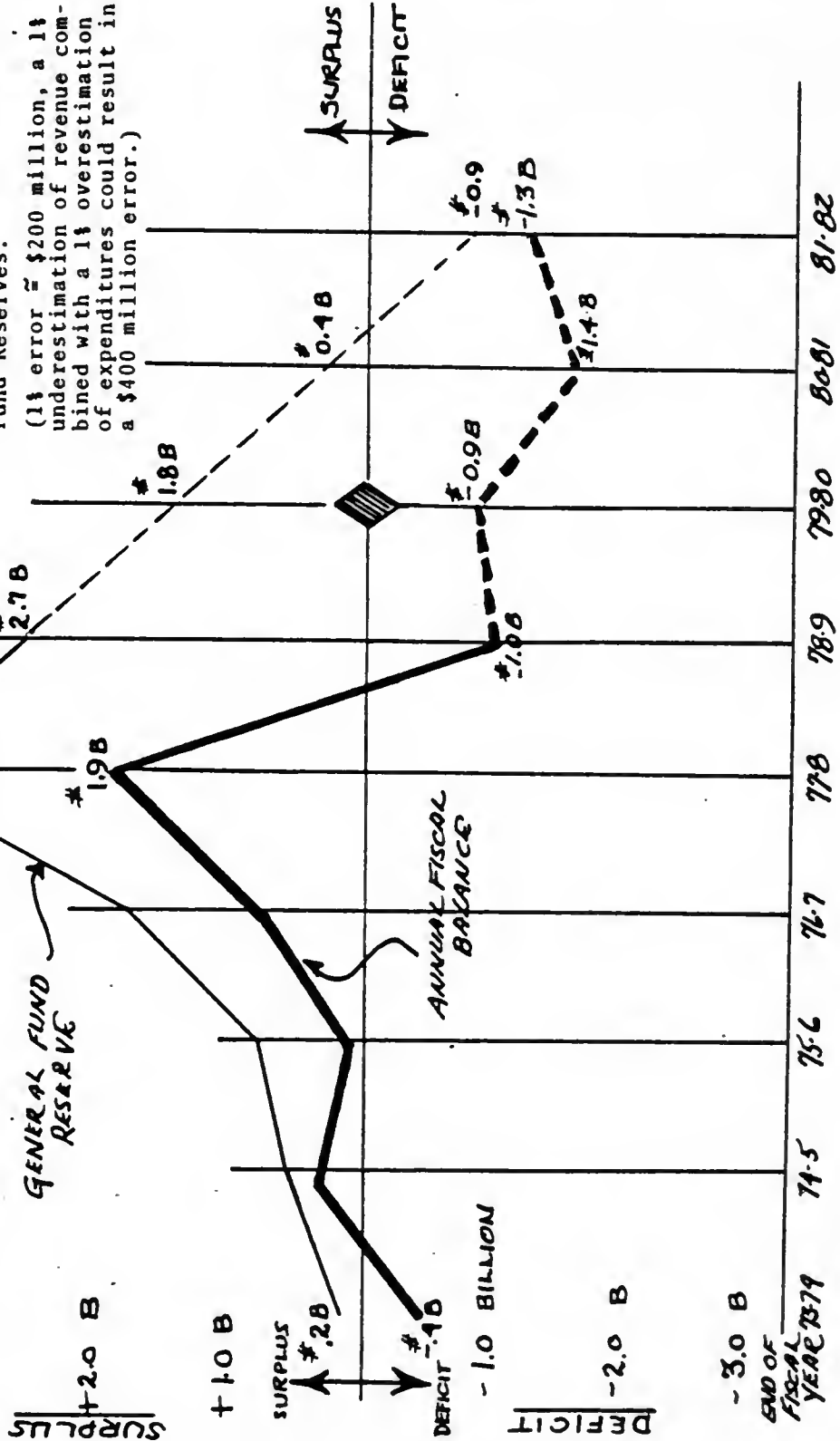
# FISCAL HISTORY & PROJECTION

CHART I

ACTUAL DATA PROJECTED DATA

Note: Very small percentage changes in projections of revenues and/or expenditures can have a large impact on Annual Fiscal Balances and, thus, General Fund Reserves.

(1% error ~ \$200 million, a 1% underestimation of revenue combined with a 1% overestimation of expenditures could result in a \$400 million error.)



Rodda: Yes.

Morris: Because of the general economic conditions?

Rodda: Yes. Inflation and business expansion. Obviously, if a car goes up in price by 10 percent and more cars are also sold--

Morris: The 5 percent sales tax--

Rodda: Yes! Also the economy will generate more growth in personal income and tax revenues. It's been working that way.

#### Tidelands Oil Revenue

Morris: One other aspect of finance that was debated several times in the Pat Brown's administration was tidelands oil revenues.

Rodda: Yes.

Morris: Part of those revenues were used for a while to finance the water plan, and then later on there was talk of using some tidelands oil revenues for higher education too.

Rodda: Yes. That's the COFPHE [Capital Outlay Fund for Public Higher Education] fund.

Morris: This is what is very unclear from our research: how much money was actually involved in tidelands oil revenues and how much control the legislature had. It seemed to shift. First it was used for park acquisition, then for water, and then for education. Was it a continually expanding sum?

Rodda: Well, that was a controversial issue, and I was only superficially involved in it. But it became apparent that tideland oil revenues were increasing, and a large percentage of that money was going to Long Beach, which the city was using for the purpose of meeting city construction and operational needs.

Senator Miller became concerned, as chairman of the Finance Committee, and my recollection is that Senator O'Sullivan authored a bill which resolved that problem to a significant degree. Prior to his legislation, some of the money was allocated, as I recall it, to finance the water project. His legislation established the formula under which Long Beach would receive its revenues. The city did not like the legislation because it established a lower level of support or allocation to them than they wanted. But we thought the existing law was a rip-off, that that money belonged to the

Rodda: people and it really should serve statewide interests. O'Sullivan's legislation did that, and about that time we did create the COFPHE fund. It may have been in his bill, but I know the Long Beach allocation was resolved.

Morris: The COFPHE fund?

Rodda: Yes. Capital Outlay Fund for Public Higher Education, which originally was used only for the university and state university and college system, not the community colleges. We have not yet talked about the Master Plan for Higher Education, but that was important. It was a major contribution of Pat Brown, and I was somewhat involved in its development.

So the state had established by formula the Long Beach allocation; and also the amount of money that went into the water project (I think it was \$25 million). Then the COFPHE fund was established. There was one other use, I believe. I cannot recall what it was. But for years the amount of money that we derived from tidelands oil was predicated upon the formula as established in Governor Pat Brown's years, and the institutions of higher education were blessed because that was a period of growth and expansion; new campuses were established, as a result of the master plan, for state colleges; and also new university campuses.

The state was providing the capital outlay for community colleges on a matching fifty-fifty basis, although the allocation wasn't on that basis, to individual schools. It was a variable formula, but the total allocation was approximately fifty/state, fifty/community colleges. So we were meeting rather well the capital outlay needs of the community colleges, funding them through bond fund money. I authored two of the bond funds which were approved by the voters. Since the state used the bond fund money to match the local money to build community colleges the COFPHE fund money was used to provide money for the universities and state colleges.

Morris: So the tidelands oil money was not seen as an integral part of the basic budget; it was used for special purposes?

Rodda: Yes. That is correct--for these special purposes. And I've forgotten the details, but Parks and Recreation did receive some of that money. So those were the elements.

When Governor Reagan, however, began to experience a quasi-deficit situation in the last years of his administration when he did almost have a deficit--wasn't the year '73-'74?

Morris: Yes.

Rodda: He wanted to transfer the COFPHE fund money into the General Fund. I was opposed to that, as were some of my colleagues, and we finally were able to block that action.

Now, this administration has been determined not to transfer the COFPHE fund money to the General Fund, but to use more of the tidelands oil revenues to finance other projects. We held some extensive hearings on that issue in this session. I will not go into that issue in any more detail. As you know, the tidelands oil revenues are now increasing.

But in the [Pat] Brown administration, one of the controversial areas of involvement was the development of an adequate formula for the allocation of the tidelands oil money to Long Beach, the water project, Parks and Recreation, and the COFPHE fund.

Morris: Any thought in the Pat Brown administration of reviewing those leases to see if the state was getting adequate money for the leases?

Rodda: What leases are those that you mean?

Morris: Aren't the tidelands oil revenues based on leases?

Rodda: Oh, yes, I understand what you mean. Well, there were studies made. There was some concern in Brown's administration and also in Reagan's administration, but it was not a concern of Reagan as much as it was a concern of Assemblyman Ken Cory.

Morris: Yes, "the man the oil companies fear most."

Rodda: Yes, and especially after he became a member of the tidelands oil-- I mean the--

Morris: As controller, when he sat on the State Lands Commission?

Rodda: Yes, the Lands Commission, because it was his contention that the oil companies were artificially manipulating the price so as to reduce the revenue to the state, and he wanted to achieve some corrective change. He wrote an extensive paper on that issue which I read. That issue developed seven or eight years ago, ten years ago maybe and I cannot remember all of the details.

But my recollection of the issue relates more to the development of the formula for allocation to Long Beach, than the COFPHE fund money.

Then, later on, I can recall Ken Cory's concern about the crude-oil pricing structure as it related to the state's revenues. My recollection is that he was upset with the integrated oil companies



Rodda: which had refining capacities. They were willing to take a loss on the price of the oil because they could make it up as a consequence of their refining. But it adversely affected the small oil companies because they did not make any profits from refineries, and low prices had an adverse effect on the state because the state revenues were reduced. That was the issue which he focussed upon, but I do not recall that it was a part of Senior Brown's administration.

Morris: Okay. It was just a question that had come up.

Rodda: No, that's all right. You certainly have a substantive knowledge. Are you interviewing quite a few people on this subject?

Morris: We've done a few, and as we go on into the Reagan administration we hope to talk to Mr. Cory and other people and try to develop some more information.

Rodda: Well, he'll help you on that issue.

Morris: Indeed, if he has the time to interview.

#### Credentialing Program

Morris: Going back to education per se, you and Hugo Fisher worked on a revamping of the whole credentialing program.

Rodda: Oh, yes. Well, you see, one of the efforts that the Brown administration made was to try to reform education. In his administration there were the recommendations of the Commission on Public Education. It was a commission which was created in 1957, I think, and was funded at a level of a quarter of a million dollars.

Morris: Was this the Thayer Commission?\*

Rodda: I have forgotten who was involved in it, because the studies were made prior to the Brown administration. Implementation of its recommendations was initiated by Brown in 1959, and there were three basic bills that were enacted into law as a result of the commission's recommendations. It was the AFT which succeeded in obtaining the authorization for that study, I believe.

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\*See interview in this series with Roy Simpson, Superintendent of Public Education, 1945-1962.

Morris: The American Federation of Teachers?

Rodda: Yes, that's my recollection. 1957.

The three bills were the Teacher Credential Reform Act; the Casey Act, which was the reform of the curriculum; and the Winton Act, which provided some degree of faculty involvement in decision-making, although it was not full collective bargaining. The Fisher Bill was the one to reform the Credentialing Act.

What was of concern to people then was that education was not sufficiently involved in the basics; there was too much emphasis given to so-called folderol and unimportant educational matters, and the conservatives, especially the Republicans, were reflecting that sentiment. That sentiment was especially reflected in the thinking of many of the middle-class people who had come to California during the Second World War and established themselves. They were critical of our state because its education was more progressive, and they wanted a school system that reflected more in its character what they had experienced, which was an emphasis on basic education. That thinking was articulated by [Max] Rafferty. That was an "educational philosophy," which he politicized.

Morris: "Back to basics."

Rodda: Right. "Back to basics." Well, that issue related to the credentialing issue because the emphasis was to provide for a single-subject-matter major, which means the law would do away with the general secondary credential and eliminate the general education major [for those who wished to teach] in the elementary grades. The law would then require everyone to have a subject-matter major even in the elementary grades.

Well, I was concerned about that change, especially at the elementary grade levels; so I would not support Fisher's bill in the Senate Education Committee until he introduced about seven amendments, one of which was to create a diversified major for the elementary teacher. Governor Brown was supporting the Fisher legislation, but I don't really think he knew too much about it.

Morris: Yes. It sounds like a technical issue primarily of concern to people in the educational community.

Rodda: Right. And the educational community was not too supportive of the changes. The CTA especially was not supportive (and the AFT) of the Fisher Act. The CTA was moderately supportive of the Winton Act, but the AFT was not.

Morris: That's interesting. The AFT had wanted the study made, but they didn't like the legislation that came out of the study.

Rodda: Yes. That is something that you'd better check. In my mind there is the thought that the AFT was largely instrumental in enacting the resolution which authorized the study of public education.

Morris: Who would have been the legislative representative for the AFT at that point?

Rodda: Oh, gee, I've forgotten who it was. I knew them all well too.

Morris: We're familiar with Bob McKay as the representative of the Teachers Association.

Rodda: That was the CTA. Yes, Bob McKay.

The AFT became involved in the middle '50s in state legislative matters. Oh, I remember the chap who was their legislative advocate. I think he came from Contra Costa County. I can't think of his name.

Morris: Well, we could probably look him up. I just wondered if he was somebody that you might have had personal contacts with.

Rodda: Oh, I knew him and did have contacts, because I was active in the AFT in the '50s and at one time was president of the local, Local 31. Isn't it funny that I can't remember his name?

But Fisher did accept the amendments. The diversified major was one which he accepted, and it was introduced into the bill, and the bill became law. But the state colleges, which were primarily responsible for teacher preparation, would not implement the diversified major, which allowed a teacher in the elementary grades, K through 6 or K through 8, to take classes in English and science and history and become a qualified teacher. But under the provisions of the law, there was no department to supervise that prospective teacher, because if one had a major in history or a major in English or a major in science, that department faculty worked with you, and you were under their guidance and direction. But there could not be an education major. Since there was no longer an education major, the major had to be a subject-matter major, and since there was no department that could supervise a diversified major, there was difficulty in implementing it.

I struggled for years to try to do so, and finally, in the reform of the Fisher Act, which was accomplished by--[tries to remember name] Oh, boy! My memory!

Morris: Well, I'm taking you over a lot of territory.

Rodda: Who was it, now. I'm trying to think. Oh, the Ryan Act. In the Ryan Act, we did implement a major, which is not labelled the diversified major. It has another terminology--general education or something like that. We did provide for such an option, but I am not sure it has been utilized.

But my concern was (and this was brought to my attention by elementary teachers and teacher-preparation specialists who came to see me) that an elementary school teacher who had a major in history was not going to be able to teach a broad spectrum of subjects at that grade level. The teacher needs a diversified major, as I stated; we never implemented it in Brown's administration.

The teachers were so much concerned about the Fisher Bill that they neglected the Casey Act, which mandated a new curriculum and took away from local schools, especially the secondary and the intermediate schools, the autonomy that they previously had. It mandated--and I can't remember--"x" number of units in English and history and basic subjects. The teachers were so much involved in the other areas of change that they did not concern themselves significantly about the impact of that legislation, and Casey did not know the importance of the legislation. He had a background in education, but he really did not know what he was doing. His experience was at the junior college level.

I was serving on the Education Committee and I still recall the day the committee heard that bill. Having taught in the high school many, many years ago, I was trying to figure out how many units a student was enrolled in during each semester, and how this related to the bill, so that I could figure out the impact of the legislation. I voted "yes" very reluctantly for the bill and there was no opposition from the teachers. They urged that we, "Send it to Interim." Well, why send a bill to interim that is the result of an expenditure of \$150,000 on a study and is backed by the administration?

In October my local school district called me to meet with them, to tell me how adverse the Casey Act was insofar as it affected their educational programs, especially the arts, vocational education, and elective courses.

Morris: So that sometimes these exhaustive studies don't turn out to be particularly helpful.

##

Rodda: Subsequently, Senator Miller, in SB 1, pretty much restored autonomy to the local school districts, but I jokingly observed, "It's too late. The medication is coming too late. The disease is already well established." I concluded that the teachers who were involved

Rodda: in the courses that were mandated would be influential in maintaining the curriculum as it was. It was very hard to change that curriculum. Some districts did develop more flexibility under the Miller Act, but the Casey Act changed the curriculum significantly in many schools.

### Preliminaries to Collective Bargaining for Teachers

Rodda: The Winton Act provided for a better mechanism for teachers to meet and confer. Actually, it did not significantly strengthen the law. It continued the language which, by court interpretation, has prohibited the strike. It did not provide for a written contract. It did not provide for meaningful negotiations. It meant that they just had to confer with the teachers, but it did not authorize a single unit of representation in order to assure that the council, which did the concurring, was to reflect the various organizations within the employee groups. That was about all that the teachers could obtain from the senate, because the senate was very conservative and that bill was assigned, believe it or not, to the Government Efficiency Committee, as I recall.

Morris: [chuckles] Not to the Education Committee?

Rodda: As I recall, as I recall. Because--

Morris: Somebody saw it as an early round in public employee bargaining?

Rodda: Right. When the legislation came from the assembly, it had the word "negoitiate" in it. The word "negotiate" was stricken by the Government Efficiency Committee, and there was another substantive amendment was added. So, the AFT opposed the bill. The CTA supported it. I voted "no," because I thought that, well, the legislation did not authorize genuine negotiating, they're just conferring, and they have more rights under current law than they would have with the proposed bill. I was a bit biased toward the teachers at that time because of an experience I had had as a faculty representative before the local school board when I was trying to present three resolutions which had been adopted by the local AFT. I spent a half an hour before the board at their invitation, and all they did was harrass me, asking me questions which related to how many members are there in the AFT, why I thought I had a right to speak for the teachers.

Morris: And the broader question of, "Why do the teachers think they can address the school board this way?"

Rodda: Yes, which was what the board made the issue and not the resolutions, which had to do with setting aside a smoking area for teachers (and I don't smoke); putting a teacher on the school district budget committee in an advisory capacity; and one other resolution which I cannot recall.

Morris: Was this before you were in the legislature?

Rodda: Oh, yes. This incident happened in the middle '50s. The school board was, I thought, so unfriendly and irresponsible in the manner in which they allowed teachers, whom I regard as somewhat professional, to have a voice in the administration of the schools, that I concluded we needed a stronger mechanism for teacher participation. So, I had a bias toward collective bargaining. I'm sorry. But, I did not vote for the Winton Act. I voted for the Fisher Act, after he accepted an amendment that provided for a diversified major for elementary teachers. I voted for the Casey Act, the curriculum reform law, because the teachers did not oppose it, nor did the administrators, as I recall. If they did, they did not oppose it vigorously; so I supported the bill.

Well, those bills were a significant element of reform in education that Governor Brown initiated as a consequence of the recommendations of the commission on public education which had been created in 1957, as I recall.

#### Commission on Higher Education and Coordinating Council

Rodda: Then the legislature did create the Commission on Higher Education, and one of the reasons for--

Morris: Again, was that pressure coming from the institutions themselves?

Rodda: No. The pressure came from the legislature. At that time the state college system was administered by the Department of Education through the State Board of Education. The community colleges were, also, under the jurisdiction of the State Board of Education. The only other independent agency in public education was the Board of Regents, for the University of California. By virtue of the constitution, the regents had autonomy and were quite free from legislative control, which is important to maintain academic freedom. The state was proliferating the number of junior colleges and also state colleges as a consequence of the tremendous increase in the student population. And, of course, the legislators were all lobbying to locate the new campuses in their districts.

Rodda: One of the big issues, for example, was whether or not we would locate a new state college in Sonoma or in Solano County: Senator Gibson's district or Rattigan's district. I can remember that the day the resolution to locate the college was under consideration, Rattigan came into my office to talk to me and convinced me that it ought to be in Sonoma County. I voted for Rattigan and Rattigan's resolution passed. I've forgotten what the specific issues were-- a lot of little two-bit local politicking--but they finally established that college there in Sonoma.

The point that I'm making is that we needed an agency to advise us with respect to the need for and location of state college campuses. Ultimately the legislature created the Coordinating Council for Higher Education, which became the Post-secondary Commission, or the California Post-secondary Education Commission. But in its original form, it was the coordinating council.

A study was made in 1959 and it was recommended that the state implement a Master Plan for Higher Education. It would involve two separate state college systems: the university system and a state college system operated by a board of trustees. One of the issues was, should the new system be authorized in the constitution? I did not want to proceed in that way for the new state college system because that would create future problems. Others agreed, so the system was created by virtue of the enactment of legislation, which, as I recall, Senator Miller authored. I think it was SB 88.

The principal person involved in this action was Assemblywoman Dorothy Donahoe from Kern County, who died that year, 1960. The system was created in a special session which ran concurrently with the budget session of 1960, because the study was made in 1959 and its recommendations were enacted into law the following year.

But the legislature did not create a board of governors for the community colleges. The community colleges were left under the control of individual boards of trustees. The state college system was placed under the direction of the board of trustees, and the office of chancellor was created to direct the system. We, also, created the original Coordinating Council for Higher Education, which, by virtue of its nature, was dominated by the post-secondary institutions--the University of California and the State University and Colleges system. It seemed not to have the kind of autonomy that it needed, or so we thought. The council was to be advisory to the legislature, but it failed to become very effective. As a matter of fact, the first two or three chancellors who directed the coordinating council were very disappointing, but they were trying to administer an impossible task.

Morris: You said that you thought there would be problems if the state college system was put into the constitution. What is the nature of those problems?

Rodda: Well, I thought the legislature needed a little more flexibility in connection with the administration of that system; so I was willing to accept the idea that we would do it by statute. I thought it was an innovative system and that we should be a little bit cautious. There was one paragraph introduced into the constitution, however, but it did not provide the same degree of autonomy that the university has, of which, incidentally, I've been very defensive.

As a matter of fact, I'm author of the constitutional amendment which changed and reformed the governance of the university system. That amendment changed the term of office of the regents and provided that if the regents wanted to, they could place both a faculty member and a student member on the board of regents, with the understanding that if such action were taken the new members had a vote on issues along with the other members. And [the amendment] made a few other changes in the constitution.

I introduced the amendment as a compromise constitutional amendment because Assembly John Vasconcellos wanted to reduce the term of office to eight years from sixteen years. I thought from sixteen to twelve was adequate, because I was convinced that the regents should develop some perception of what their trust was to the university and gain independence and that the legislature should avoid politicizing the board of regents.

But, anyway, a struggle developed with Vasconcellos. I did have the cooperation of the regents, however. They finally supported my proposal, which was a compromise, although they wanted the status quo. They realized that absent a compromise, they might end up with the Vasconcellos short term and a mandate, not an option, that they have a student member on the board. Mine was not a mandate. The university regents could exercise that as an option. Incidentally, the faculty has not chosen to accept that responsibility--a member on the regents.

Morris: Was the Master Plan for Higher Education seen as an advisory thing, as part of the--?

Rodda: The coordinating council was.

Morris: The coordinating council?

Rodda: Yes. The coordinating council. The Master Plan, as implemented, related to two elements: Trustees of the State Colleges and the Coordinating Council for Higher Education. The coordinating council



Rodda: was primarily advisory in function, but by virtue of its membership, it was substantively controlled by the university and the state university system, which was then called the state college system.

About two years later, Senator Stiern authored legislation which created the Board of Governors for the Community Colleges. It was only after the Legislative Analyst, Mr. Alan Post, recommended that we create such agency that we were able to proceed. The individual colleges, community colleges, did not want a board of governors. When it was clearly established that its role would be basically advisory to the community colleges and would not constitute an intrusion into their internal autonomy, the idea was reluctantly accepted.

We ended up, in Brown's administration, in creating, therefore, three segments of higher education: the community college system, the university and state colleges and the university. Incidentally, in the Master Plan for Higher Education, it was understood that there was to be a higher level of support for the community colleges from the state. The state was supposed to move toward a 50 percent level of support. It never did. The level of support had been (under Brown, when he became governor) about 45 percent. It had slipped to about 38 percent; the percentage, of course, depends upon what aggregate you use. There are two figures. Slippage had caused the communities to pay for more of the support of the community colleges than was established as appropriate by the master plan concept, which, as I said, was fifty-fifty--50 percent local and 50 percent state.

The only area where the state really did assume 50 percent of the costs was in the area of capital construction. That was done through the use of the state bond acts, of which I authored two. The one that I authored last in '76, I think it was, failed. It was the third. So the state has been funding capital outlay for the community colleges out of its General Fund. The community colleges want to be included in the COFPHE fund now and probably will be, since the COFPHE fund is higher now in generation of revenue because the price of tideland oil has increased because of domestic oil deregulation.

But anyway, that is what happened. So we developed in Brown's administration a rather remarkable system of post-secondary education, and I think we did accomplish a more responsible location of individual campuses because of the recommendations of the coordinating council. Furthermore, we did not establish, or create too many campuses. Maybe there are one or two we shouldn't have, maybe down in the Valley, a state college down there. I've forgotten the name of it.

Morris: Stanislaus?

Rodda: Yes, Stanislaus. Maybe we shouldn't have created that campus. Recently they have experienced enrollment problems, I understand.

Morris: Well, so has the UC system.

Did your Education Committee get involved at all with the 1964 student disturbances at UC?

Rodda: I was chairman and refused to involve the Education Committee in the student demonstration problem on the campuses. I was under pressure from the conservatives to hold hearings on the campuses, but I said, "No. If I do that, I'll be under pressure to initiate legislation, and that would, in my opinion, constitute a threat to the autonomy of higher education." I refused to do it. If I did so for the radical right, I would have had to do it for the radical left." So, I refused.

Incidentally, when the master plan was under consideration, there was a recommendation that we eliminate totally lower division education from the university system.

Morris: Right. I remember that Clark Kerr incorporated that into his long-range plan.

Rodda: I did not want to do that and many university people didn't. One of the adverse effects would have been that the cost per unit of education would have increased. The university would not have had the benefit of larger classes, and when one is operating an institution which engages in significant research and conducts small classes at the upper-division level and graduate classes which are very small, one ends up with a high cost of education per unit, or per student.

Morris: Yes. It would have meant a major shift in the college experience as we think of it.

Rodda: Oh, yes. Of course, I always argued as follows: send your child to the community college if the child is not socially mature, if you can't afford the university, or if your child is having learning problems, instruction problems. I reasoned that at the university level the young students would experience too much influence from their peer group; it would be more costly to the parents; and there will be teaching in a larger class situation at the university level--less personal attention.

Morris: There was flurry in the press in 1962 that Brown was urging Simpson to retire as superintendent of public instruction so he could appoint Hugo Fisher, who could then run as an incumbent. How real a possibility was that?

Rodda: I recall hearing something about that, but I do not recall any details. Senator Fisher was very close to Brown.

[tape turned off as committee staff member Jack Watson opened office door to remind Senator Rodda that he was overdue for a lunch date]

## VII PROBLEMS IN LOCAL CONTROL AND SCHOOL FINANCE REFORM

[Interview 3: March 19, 1980]##

The Local Government Committee and the Local Agency Formation Commissions

- Morris: I must say that I think your speeches give really a marvelous picture of some of the things that you worked on over the years.
- Rodda: Incidentally, you did have the speech that I gave at Carmichael on annexation and consolidation?\*
- Morris: Yes, I do have that and I think that gives the chronology of it very well.
- Rodda: You know something? I forgot that I had made that speech.
- Morris: That you'd done that speech?
- Rodda: Yes, I forgot. I vaguely remember it now.
- Morris: I found it in your files. It made me want to ask, from the Local Government Committee's point of view in the senate, what brought the senate's attention to the fact that there was a need to do something about metropolitan problems?
- Rodda: When I first was elected, I was appointed on that committee and served on it for a long period of time. I've forgotten who chaired it when I first served on it. Later on it was chaired by Steve Teale, then Joe Rattigan, and then Milton Marks.

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\*Speech to Carmichael [California] Chamber of Commerce, October 24, 1963. Copy in supportive documents in The Bancroft Library.

Jarboe Named

# Mayor Loses Appointment Fight

By TOM HORTON

Staff Writer, The Union

Sacramento County's Local Agency Formation Commission got off to a stormy start Tuesday with Sacramento Mayor James B. McKinney fighting a lone and losing battle against immediate appointment of the Commission's fifth member.

The Commission, which will have wide power in approving proposed annexations or formation of special districts, was meeting for the first time to appoint a fifth member from the public.

In accordance with state legislation governing the new body, a selection committee of the county's mayors recently elected Mayor McKinney and Folsom Mayor John Kipp, Jr. The County Board of Supervisors elected supervisors Fred Barbaria and Mike Malaki.

## KIPP MOVES

These four Tuesday elected the fifth member, Sacramento attor-

ney Michael S. Jarboe, by a 3-1 motion for the appointment, seconded by Malaki, passed 3-1.

Jarboe submitted a letter to the Commission, expressing interest in the group and stating he would like to be appointed.

Kipp, Barbaria and Malaki all thought Jarboe would be a fine appointment. Kipp swiftly moved the appointment be approved.

"I don't believe that in this whole county there's only one person interested in being the fifth member of a public agency of this importance," McKinney said.

## QUALIFICATIONS

The Sacramento mayor also questioned Jarboe's qualifications: "What has he ever done in working with the city or county?" McKinney asked.

McKinney said he felt there were other persons in the county who are qualified to be considered.

It was mentioned that the legislative program calls for a Nov. 19 deadline on formation of the Commission. But county counsel John B. Heinrich said there would be no problem in delaying the fifth appointment beyond that date.

McKinney said the Commission would be "derelict in its duty in not taking more time to inspect all the possibilities and select the most qualified person."

The mayor also noted that Jarboe, of the law firm of Jones, Lamb, Jarboe and Boli at 1118 10th St., rents office space from a building owned by Barbaria.

## MEET THURSDAY

Kipp and Barbaria said there was no reason why Jarboe shouldn't be appointed rather than delaying the matter. McKinney's motion to table the issue was defeated 3-1, and Kipp's

The Commission will meet again at 2 p.m. Thursday to draw for individual terms and take care of other organizational matters.

The Commission will approve or disapprove all proposals for city annexations, incorporation of new cities, formation of special districts and annexations to districts.

The legislature passed the law last spring with the purpose of providing orderly growth in areas of rapidly expanding population. It is part of Gov. Edmund G. Brown's 1963 legislative program on urban affairs.

North Sacramento Mayor Olga Roth is an alternate member of the Commission.

Sacramento Union,  
November 13, 1963

Morris: Was the concern of the committee primarily urban problems, urban growth?

Rodda: Well, it's hard to remember. It's been such a long time ago. But one of the big problems with which we were concerned was the impact of urban growth on the state and on the natural environment. Also of concern was the fact that there was a great increase in the number of local government agencies, and that there were problems which related to annexation and to the creation of and a incorporation of new cities. Related to that was a problem in the area of school district organization. The state had a large number of small school districts and it seemed as if there were too many. So it was desirable, it seemed, to encourage school district unification and to reduce the large number of small elementary and high school districts.

Those were two areas of concern, one in the area of local government, which related to special districts, cities, and counties, and the other which related to the school districts. I was somewhat involved in both.

Morris: I can believe that.

Rodda: Because I was on the Education Committee and also on the Local Government Committee.

Morris: In the speech that you made to the Carmichael Chamber of Commerce, you discussed two bills in 1961 and then legislation in 1963, which was finally passed. But on both of those, you indicated that there was a lack of interest in senators in sponsoring the bill.

Rodda: Yes. Well, in those days, it was difficult in the senate to engage in legislative action which was interpreted as adverse to the interests of local government, because that was prior to reapportionment and the senate represented significantly the more rural areas, the nonurban areas, and the north. Generally, there was recognition of the fact, not only on the part of the environmentalists, but also on the part of those in local government that there was a problem, because that was at the time, the early '60s, when the state was beginning to grow rapidly in population and there was a significant expansion into the nonurban areas. That expansion constituted a threat to the state's arable land and to its scenic beauty, and caused overlapping in units of government and problems of that nature.

So there was a concern in the senate, but the greater concern was on the assembly side, as I recall. That's where the--

Morris: Frank Lanterman, I gather, was a very vigorously against any such legislation.

Rodda: Right. And Clark Bradley, who was then in the assembly and subsequently, after reapportionment, became a senator. They were somewhat negative. I do not know how you account for their opposition, but I think that one of their concerns was a simple reflection of a conservative Republican perspective. Clark Bradley was a genuinely conservative Republican and was proud of it; so I am not saying anything that he would regard as negative. Frank Lanterman was somewhat conservative, but he was much more flexible and on some issues quite progressive. As a matter of fact, he authored the original Master Plan for Special Education because of his genuine concern for the needs of developmentally disabled children.

Incidentally, I can remember once when I had a bill under consideration before the Assembly Local Government Committee, which Clark Bradley chaired, which related to the Sacramento Port District. Clark was determined to kill the bill, and I was hoping that Lanterman would be flexible. But on this issue he wasn't; neither was Clark. But ultimately, I guess, wisdom prevailed over political ideology, and the measure was approved.

Morris: There was a lot coming out of the colleges and universities, I gather, pushing the idea of some kind of new structure.

Rodda: Right. Because it was a serious problem, there was no way that local government had at that time, or the state, any reasonable assurance that unification, shall we say, or incorporation or annexation or creation of new special districts, would be accomplished in an efficient and constructive manner from the standpoint of local fiscal considerations, or efficiency in local government. Unanswered, also, was whether such changes in local government would be done with proper consideration of environmental considerations.

Those were the concerns of many citizens, and I shared them. I was fairly new in the senate and my position on issues having to do with preservation of the environment related to my support of the traditional progressive Republican attitude toward "conservation." Since those days of California Progressivism, the term "conservation" has given way to that of environmentalism and the importance of preserving the "ecology." In the early '60s there were individuals who were seriously concerned about "conservation." Sam Wood, for example.

Morris: In the sense of preserving natural resources?

Rodda: Preserving the environment, right, the state's natural resources, its scenic beauty and arable land. Sam Wood later became involved in "Cry California," and identified with the environmentalist position. In fact, he was very much in the forefront with respect to this

Rodda: issue and still is. He remains adamant, for example, on the need for the elimination of special districts and has beaten me over the head a couple of times, verbally, with respect to how we should respond to [Proposition] 13, for example. And one of the responses he advocates vigorously is to consolidate special districts. Well, his interest began in the '60s and has continued.

There were others, of course, who were viewing the problem more from the standpoint of the importance of providing efficiency in government.

Those were the basic interests in which we were involved, and Governor Brown was somewhat sympathetic to our concerns. He made it a part of his program and tried to achieve enactment of responsible legislation. The first effort failed and subsequently legislation was passed which established the local agency formation commissions.

Morris: Was the second bill successful because it dealt with a smaller area with less sweeping power?

Rodda: Right. Well, it protected the concept of local control, because the first approach was designed with the objective of creating a statewide agency which would be a superbody and provide a kind of an overview over local government from a broader perspective. That would, of course, be one reason why Clark Bradley would be opposed to such legislation. He was a strict local-control person and was really dedicated to that idea and opposed to the creation of state agencies which would intrude upon local control.

So what we ended up with, and Governor Brown was influential in achieving its enactment, was the law creating local agency formation commissions, which now are very responsible. I do not think they fully cope with the problem, but it's a difficult problem with which to cope.

Let's see--I guess it was in the early '70s when I became involved in land-value taxation as a means of discouraging urban sprawl and using the taxation of land as a means of encouraging more meaningful development of the state's urbanized areas. I introduced legislation to accomplish that goal through a constitutional amendment. I had become aware of the fact that even though the state had local agency formation commissions, because of the pressure of the real estate developers, the state was not really accomplishing in a meaningful way the objective that we had in mind.



Impact of Population Growth on Arable Land and Scenic Beauty

Rodda: The late '60s and early '70s were periods of unusual growth in population, unusual expansion of urbanized areas, and an unusual loss of arable farm land. You and I know what that situation was in certain areas. Just go look at what happened in Santa Clara County, in the San Jose area, for example; look what happened in the L.A. area. Because of these conditions, I wanted to find a means of reinforcing the influence of those interested in land conservation and in curbing urban sprawl, through the use of the taxing power.

But strangely enough, I could never gain the support and cannot even today gain the support of the environmentalists, those who want to stop urban sprawl. They want to do it through better planning, through the creation of planning commissions, and through the creation of the local agency formation commissions. But they do not want and never have wanted to remove the tax from capital structure and improvements and shift it to land only. The expectation was that by virtue of that fact, the state would tax unused land more heavily and force land owners to develop unused land and increase in the urban areas the density of population and make more effective use of the land already available for development. But they have never been sympathetic to that idea, so they have relied almost exclusively on the legislation that was enacted in Governor Brown's administration. And, of course, it has not proven effective.

Morris: That's interesting.

Rodda: But Prop 13 now is reinforcing what they wanted to do, because there is not the money available to develop public utilities, to develop the roads, and provide those services that are needed in--

Morris: In newly annexed or incorporated areas.

Rodda: Right, or new developed areas. So the real estate people are now having to give more consideration to the development of areas where the utilities are already in place. That will be one of the beneficial effects of [Proposition] 13.

Morris: You mentioned Cry California. What other environmental conservation organizations were concerned in those bills in the '60s?

Rodda: Well, I can't remember. Strangely, I can't. The Sierra Club and the California Planning and Conservation League were, in my opinion, beginning to generate more public support at that time and to become more influential in the legislative process. As a consequence,

Rodda: their impact on government was, I think, more substantive in the '70s, when they helped bring about the enactment of the Coastal Commission, for example.

Morris: That was what I was trying to check out, whether their influence was just beginning to be felt.

Rodda: Right. In 1959, for example, and '60, I became interested in the Sacramento Delta because of the levee-stripping that was taking place there. I authored legislation which resulted in the development of a study of the Delta for the purpose of determining how we could preserve the scenic beauty of the Delta and enhance its potential for recreational development. That led ultimately to an enhancement of the ability of reclamation districts to avoid total levee-stripping and to the use of riprap, but being done because of pressure from the federal government through the Army Corps of Engineers. It also led to an interest in the state government in trying to develop the recreational areas in the Delta.

What I'm trying to say is that there was very little support for my effort from such organizations as the Sierra Club. They were, I think, and I may be wrong in this, in the initial stages of their development as effective organizations. They were beginning to achieve public support for what they were ultimately going to try to accomplish. So there was less effective lobbying on the part of environmental interest groups to support the programs that Governor Brown initiated.

#### The Political Perils of Constructive Leadership

Rodda: One of the things you have to recognize about Governor Brown (Pat) is that when he recognized a problem and thought that it was appropriate for the state to address the problem, he worked meaningfully with the legislature. He was willing to develop legislation, sponsor it, and work with us to achieve its enactment and to accept whatever political criticism resulted. Now, the reason that that was beneficial to the process was that it created a much better working relation between the legislative and the executive branches of government. But it had an adverse political effect on the governor because he identified himself with a particular position with respect to a substantive issue which was controversial. So he incurred political criticism. But he did so because he thought the issues were important.

Rodda: If you do that in too many instances, or with reference to too many problems, you create a lot of political enemies. And sometimes your enemies, or non-friends, are more likely to fight you than your friends are likely to support you. So Governor Brown's popularity tended to erode.

Morris: As he went into his second term.

Rodda: Right. Because the Republicans capitalized on his involvement, and we saw, I think, a political cycle that led to the election of Governor [Ronald] Reagan. He was elected on a very conservative platform and he capitalized on Governor Brown's involvement in such issues. Now the cycle is reoccurring. We are, I think, in this state, in another phase of a political cycle which we can describe, or identify, as that of political conservatism.

But I wanted to emphasize that aspect of Governor Brown's behavior because I think Pat Brown should be given credit for his actions. That was constructive leadership.

Morris: Yes, yes. And you describe an interesting process.

Rodda: He did it in education too.

Morris: Yes.

#### Efforts to Correct Inequities in School Finance

Rodda: I can recall meeting with Governor Brown in the early '60s when we gave consideration to the need for enactment of reform in school finance, prior to the Serrano decision. The state was making money available to wealthy districts, but even though it was making more money available to less-wealthy districts (so-called equalization districts), there were disparities in terms of the expenditures per student in ADA and those disparities were great, and Governor Brown tried to address that issue through school finance reform.

The Education Committee, of which I was a member, met in his office, Republicans and Democrats. The senate was not reapportioned at that time. The governor explained the school finance problem and his concerns and asked if anyone would be willing to author a bill, in cooperation with him, to address the problem through the enactment of a countywide school tax. The tax would be levied on all property in the county but the revenues would be allocated on the basis of ADA within the different school districts. Do you know what happened? There was only one person willing to author the bill.

Morris: Was that you?

Rodda: Yes, the "mouse who was willing to bell the cat." The state senate had not been reapportioned and many of the senatorial districts were large geographically and it was a very difficult issue in those areas, as was the whole issue of school district consolidation, which Governor Brown tried to address. On the assembly side, the leadership in the area of school district reorganization and finance reform was provided by Jesse Unruh.

Morris: For unification of the school districts?

Rodda: For unification, right. Ultimately a provision was enacted into law under which districts were required to have elections by a certain time or they would be required to unify. That law was subsequently repealed, but it did lead to a reduction in the number of school districts (and I'm speaking from memory) from about sixteen hundred down to fewer than twelve hundred.

Morris: Right, right.

Rodda: So then you had two efforts to achieve reform in education which related to the effort to achieve reform in this other area--area of local government structure and organization and school finance reform and school district organization.

I presented that bill in 1964, I think it was to reform school finance. I lost it in the Finance Committee. It was SB 65, as I recall.

Morris: The equalization of the tax?

Rodda: Yes, the countywide tax. It was killed in the Finance Committee and those who killed it were the representatives of the railroad industry, the oil industry, and the industrial manufacturers. George Miller was strongly against it. He represented Contra Costa County which would have been seriously affected. I recall that he commented: "What you're going to do, Al, is increase the property taxes of people living in Martinez and Pittsburg where the oil refineries are and the steel industry is, and shift the revenues to Lafayette and Concord and Walnut Creek where the affluent live and where they have restricted commercial and industrial development. They wanted to move out of the cities." Which is what they did. They built beautiful homes, excluded industry and commercial development, and as a consequence, their school districts were classified as equalization or poor districts and they were receiving more money from the state than were the school districts in Pittsburg and Martinez where the county's industrial enterprise was located.

Rodda: Well, Senator Miller killed the bill and, you know, there was merit in what George was saying. The legislation was a simplistic approach to a very complicated problem. I had to--

Morris: Was the equalization idea, the countywide school tax, an idea that came from the Department of Finance or from some economic advisors?

Rodda: A lot of us were very much concerned about the need or the necessity of the reform of the state school finance law because we realized there were gross inequities. And yet every time we undertook to accomplish that objective, the people who were influential and active as board members, administrators, or teachers in the adversely affected districts, which were the basic aid districts where the industrial and commercial property was located and where the tax base was favorable and the tax rate low and the expenditures per child high, fought the change and defeated it. They made a mistake.

I used to advise them that they were making a mistake, since if they did not accept responsible reform, ultimately there would be reform which would be irresponsible and damaging. They refused to listen and then came the Serrano-Priest decision. They should have listened.

Morris: I was going to ask you about that. Did you foresee that a situation like this would arise?

Rodda: No, we did not foresee the Serrano decision, but we foresaw a situation in which the gross disparities would be of such nature that ultimately reform would occur.

Now, of course, when reapportionment took place and became effective in 1967 and Governor Reagan was elected to office, as a result of the reactionary trend in '66, the prospects for school finance reform were enhanced because many of the rural senators, who were not so much interested in problems of urbanized areas were forced out of the senate. We had a totally new senate in which there was the same type of representation as you had in the assembly, one based on population. That was the step, I think, politically, which would have favored ultimately the enactment of substantive school finance reform, absent the Serrano decision.

Now, I may have, of course, misappraised the situation, but while we were struggling with the issue of school finance reform which Governor Brown addressed, and the effort failed, we became involved, as I've indicated, in the effort to reduce the number of school districts. Jesse Unruh became involved in that problem. I can't remember the exact time, but I think that it was in '65, or thereabouts. You know, it's hard for me to remember such detail. And we did legislate to require school districts to hold unification elections.

Morris: Would you have worked directly with Mr. Unruh?

Rodda: Well, about 1965, a school finance bill was introduced by Senator Teale and I worked with him, as I recall. Jesse Unruh introduced a bill; it was AB 485, I believe. I cannot remember. We had a conference committee on that legislation and I was a member of the conference committee. I think the Democratic members were Teale and Rodda from the senate and Unruh from the assembly. I've forgotten who the others were.

In the Unruh legislation, we did provide the schools with more money because they were not receiving enough state money to compensate for the impact of inflation. The problem was one which is known as slippage. More of the costs of education were being funded from the local property tax because that source of revenue was increasing at a more rapid rate than were the state revenues. So the state automatically contributed less to the schools as their local tax base, revenue base, improved. Unless special legislation increased the school apportionment, that happened.

Morris: Right.

Rodda: We wanted to try to alleviate the slippage problem and that was accomplished in the legislation, which was the Unruh legislation in which I participated. The legislation did address to a slight extent the issue of the inequities in school finance, but it did not do so in a substantive way.

Morris: I was thinking of the comments about Jesse Unruh in relation to Pat Brown, that Jesse Unruh was so strong in his assembly leadership that there became some confrontations between the two.

Rodda: There were, but not infrequently Brown and Unruh worked together. There was, of course, confrontation between the senate and the assembly, and the way in which the budget was prepared in those days is interesting because the rules permitted the introduction of any amendments in terms of dollars in the budget conference committee.

Morris: After it had been through--?

Rodda: When it was under consideration by the conference committee and the conference committee members were trying to resolve house differences, amendments could be acted upon which had no limits with respect to the magnitude of the appropriation, or they could be totally different from those which had originally been considered and approved in the two house budgets.

Also, at that time, the committees held meetings in which roll calls were not recorded. The chairmen of the Finance Committee and the Ways and Means Committee, both, had, therefore, lots of political power.

Rodda: Now, what the senate and the assembly did was to try to determine the things the other house wanted, and then devise a means to eliminate them so that they would become items for negotiation in the conference committee.

Morris: I see.

Rodda: Ultimately that practice of inter-house bargaining became so gross that it produced two rules changes in the Joint Rules: one, a roll call on all votes in all committees, which Senator [Peter] Behr achieved, and also a limit on the budget conference committees to the effect that they could not increase the budget over the higher amount approved by either of the two houses of the legislature.

In other words, if there were an appropriation--I mean, if the senate version was four and the assembly version was three, the conference committee could not approve an expenditure above four. The committee could go below three but not above four, and it could not introduce new items into the budget.

Morris: That's a joint rule change that both houses made?

Rodda: That's a joint rule. I think it was introduced by Senator [Randolph] Collier, who was then chairman of Finance and subsequently was succeeded by Tony Beilenson. That was done in about 1973, as I recall.

Morris: That's later on, yes.

Rodda: Yes.

#### Contributions of Governor Pat Brown

Morris: Going back to the local agency formation idea, this was the period when federal money was beginning to go directly to cities and counties, in addition to the federal funds that come through the state. I wondered if this was a factor either in the eventual passage of the law or if the senate had any feeling about that kind of direction of federal funding.

Rodda: I really cannot say that action was taken before the federal government developed the War on Poverty, which was in President [Lyndon B.] Johnson's administration.

Morris: Yes, 1964 was about the date for that.

Rodda: Yes, that's right. The fact is, I was in Washington, I believe, in 1964 or '65, the year that the legislation was enacted, and I returned to my district and sat down with its local people and helped organize the local economic--

Morris: Here in Sacramento County?

Rodda: Yes. Council. But I am not sufficiently knowledgeable to make a comment about that action. What is very clear is that prior to that time there was much less federal money available to education and to local governments in the health and welfare areas, or in some of the local government areas that subsequently were addressed. Those programs were authorized in the latter part of the '60s and early '70s.

What Governor Brown did at that time was to try to address the problem of government organization in the area of local government. They also tried to address the problem in the area of school finance. He tried to address the problem of segregation in the schools. He tried to address the problem of public transportation. In the latter area he helped bring the enactment of the state law under which we committed ourselves to the construction of the state highway system. A very important leadership role in that issue was provided by Senator Collier, who was then chairman of the Transportation Committee. Actually everybody looks upon him as the father of the state highway system. We committed--I do not remember exactly--some \$10 to \$20 billion to the completion of the state's freeway system. That was a major contribution of Governor Brown.

Another area where Governor Brown made a major contribution to the state was in the water plan, which he initiated in 1959 and which was placed on the ballot in 1960. I can remember some of the details with respect to that issue.

I was not close to the highway transportation issue. I was modestly involved in the creation of the local agency formation commissions, or trying to provide for better planning of local government. I was more involved in the effort to reform school finance and in the effort to achieve school district unification. As a matter of fact, the San Juan School District in Sacramento became unified at that time.

##

Rodda: I might make a couple of comments at this time, if you don't mind, with respect to two other problems.

Morris: Please do.

Rodda: One was the State Water Plan.



Morris: I think we talked about that a little bit when we earlier met.

Rodda: Did I?

Morris: As I say, you'll get the transcript back so that you can add comments.

Rodda: Because that was one of the major issues, and I was significantly involved in it because I was one of the key floor votes that made it possible to pass the Burns-Porter bond act in the senate, and I do not remember whether I mentioned that fact in my earlier comments. You had better check the record, because there was an interesting fact which I may not have brought to your attention. At that time the legislature could place a bond act on the ballot with a simple majority vote, and it was only because of that provision in the constitution that the water bond act was placed on the ballot in 1960.

Subsequently, the constitution was amended, and such action is no longer possible and that is why today they are approaching the problem of the peripheral canal through the use of revenue bonds, rather than state general obligation bonds. The general obligation bonds would have to be approved by a two-thirds vote and submitted to the voters for approval by the voters--now two-thirds. But the legislation (SB 200) provides for the use of revenue bonds, an authorization which Water Resources has--

Morris: The authority to do, yes.

Rodda: It has been interpreted that the agency does have that authority. So they can proceed today, if they keep all appropriations out of the peripheral canal bill and use revenue bonds, to enact a peripheral canal act by simple majority vote of both houses.

Morris: That's something certainly to keep an eye on.

Rodda: But Governor Pat Brown showed a lot of courage and leadership in connection with the State Water Plan.

Morris: Right.

#### Categorical Aid Programs

Rodda: Now, with regard to education. When we realized that certain school districts were basic aid districts and were receiving and spending a higher amount per child than equalization, or so-called poor districts, we realized that we had a problem because the effect of

Rodda: the effort to reform the school finance law would have been to take money from such districts as San Francisco, which was basic aid, but a district that had a lot of minority children, or you might say, educationally disadvantaged children. So we tried to explore how we could achieve school finance reform and at the same time not adversely affect such districts as San Francisco.

That led to the implementation of categorical aid programs. One of the first was known as the Educational Opportunity Act and Mr. Unruh was very much involved in that action. It was legislation in the development of which I was involved as a consequence of a conversation that I had with Dr. Ron Cox, who was then the fiscal expert in the Department of Education. What we sought to do was to create a special fund to be allocated to districts so that they could provide special education through categorical-aid programs to address the needs of those pupils who were handicapped educationally and, by virtue of excluding the money from the regular foundation program, to avoid the necessity of, when the state reformed the school finance law, adversely affecting the so-called wealthy districts which were rich but which, on the other hand, had a lot of students with education problems.

One of the first categorical aid programs, the Educational Opportunity Act, allocated state money which we hoped would provide funding for educational programs which the districts would be relatively free to implement.

I authored the first bill to create an educational program to assist bilingually disadvantaged youth, or non-English-speaking children. It was a pilot program (1964) to be implemented in Imperial and San Diego Counties to teach English as a second language to non-English-speaking students, with a modest state allocation on a per-student basis. The program was in effect for about two years and then it was abandoned.

Morris: Was that primarily Spanish-speaking--?

Rodda: Yes, Spanish-speaking. I chaired a hearing of a subcommittee of the Education Committee in Calexico, and we discovered that the school districts were experiencing serious difficulties in teaching non-English-speaking children who enrolled in the schools but were residing with relatives or friends. The pupils were not citizens of this state but they were attending the public schools and they had no skills in English. The districts were using bilingual teachers, Spanish-speaking if they could find them, or aides, to teach English as a second language. The committee decided that the state needed to help those school districts; so the purpose of the pilot program was to determine whether or not such assistance, which would be a categorical aid allocation, would be helpful and enhance the ability of the schools to respond to the needs of the children.

- Morris: Does going out and having hearings around the state often provide you with new insights, so that there are changes in legislation or new legislation?
- Rodda: Right. It's really the only meaningful way the legislature can gain direct access to or direct information about what is going on in a particular area, either in the area of local government or in the area of education.
- Morris: Do you hear different things, say, in a place like Calexico than from people speaking to the same point here in Sacramento?
- Rodda: Well, yes. They had such a high incidence of non-English-speaking youth in their schools that the academic level of achievement was being adversely affected and they realized that the only way they could address the needs of these children was to enhance their ability to communicate in English. What was happening was that the children were educationally disadvantaged and within three or four years, when learning became dependent on reading and writing skills, they would foresee themselves as failures and that would encourage them to drop out of school and discourage them from continuing their education.

Well, we had recognized that as a problem in education, so we thought what we might do was to provide students in grades one, two, and three special instruction so that their English skills could be enhanced with the hope that when they went into grades four, five, and six, when they had to read and when the teachers do not educate verbally to the extent that they do in the earlier grades, they would achieve greater academic success.

But Rafferty became superintendent [of public instruction] and there was a period of economic retrenchment and the program was abandoned--the pilot program in teaching English as a second language.

Then Senator [Alan] Short introduced a bill which authorized bilingual instruction, or instruction in a language other than English. Instruction only in English was a statutory mandate then.

- Morris: Would you say that while Max Rafferty was superintendent of public instruction, he was not particularly interested in this kind of alternative education?
- Rodda: Well, he was not terribly negative, but I am not sure that the programs were demonstrating any real progress, and there seemed a lack of support for the program and it was terminated. It was unfortunate, I think, because when the Short legislation was passed, the Spanish-speaking community was more interested in having their

Rodda: children learn English. We called them the Mexican Americans then and they then became known as the Chicanos and now they refer to themselves more as the Latinos or the Hispanic because they perceive, I think, the use by Anglos of a particular designation as a reflection of Anglo prejudice. So they changed from one designation to another. Today the term "Hispanic" is used and it covers, of course, Puerto Ricans, Mexican and all Spanish-speaking.

But, the critical fact was that, in those days, the Mexican-American people were much more interested in having their children learn English. Teaching English as a second language was popular among the Mexican Americans. Once the program terminated and the bilingual law authored by Senator Short was passed, there was a shift to bilingual education.

Morris: Teaching in Spanish as well as in English, right.

Rodda: Yes, bilingual instruction. Teaching English as a second language almost became, well, an educational approach to the problem of these children which was interpreted as reflecting a prejudice or being negative. It was demanded that the schools recognize their culture and help them to learn in their own native language and to preserve their native language skills while they were acquiring English skills.

So then the legislature enacted the Moscone-Chacon Bilingual Education Act, which subsequently was amended by the Chacon Act, which is now the law which is under serious evaluation and criticism.

Morris: It's a very touchy problem these days as an educational policy.

Rodda: Right. I think if we had really undertaken a good program in teaching English as a second language statewide and demonstrated its effectiveness, we might have contributed to the educational well-being of these children.

## VIII CIVIL RIGHTS, POLITICS, AND RELIGION

Passage of the Rumford Act

Morris: I don't want to leave this discussion of Pat Brown's administration without talking about the Rumford Act.

Rodda: Oh, yes.

Morris: We've kind of come around to it sideways here. The question might be: at what point do you recall the senate becoming concerned about the need for legislation to protect minority rights?

Rodda: Well, all of us who were of a liberal persuasion and who were the younger members of the legislature--and a large number of us were elected in '58, which was the year Pat Brown became governor--reflected a philosophy which prevailed at the time. All of us wanted to do something constructive in the area of racial discrimination in employment, in housing, and in education.

Of course, Rumford, being black, was very much interested. He authored the Rumford Act, which was approved in the assembly and was under consideration in the senate the last night of the session. We had to terminate our meeting at midnight and when we left the senate to go to dinner that evening, there was an understanding the members would return and complete the file.

The Rumford legislation had been approved by the Senate Government Efficiency Committee, which was then the killer committee to which power structure in the senate--the Rules Committee, which was governed largely by Burns--assigned bills that they would like to see either significantly amended or killed. It was chaired then by Luther Gibson. A member of the committee was Ed Regan, who is now an appellate court judge. The committee had amended the Rumford bill and send it to the floor and it was on the file. It was way down on the file and the senate had a rule that on the last night of the

Rodda: session, bills were to be considered in accordance with the order they appeared in the senate file. We had a printed file, but we were receiving bills from the assembly and we were sending bills to them. So we had a mimeographed file on our desks and later in the night we had a file written on a blackboard. Everything was in a state of confusion, which was normal for the last night of a session.

Well, it was pretty clear to those who were against the Rumford legislation that they had several procedures to follow in order to kill it. One was to prevent us from ever getting to it on the file.

Morris: Running out the clock until midnight.

Rodda: Running out the clock. So that was what Senator Clark Bradley understood to do. Suddenly we discovered that every time a simple bill was under consideration, it was debated for four or five minutes. Progress was delayed and time consumed. I had a bill that was very important to me which was low on the file. It was the Cal Expo bill. [ironic laughter] Maybe I should have wished it had failed. But anyway, Joe Rattigan came over to me while he was going around the senate talking to colleagues and said to me, "Say, Al, would you vote for the Rumford Act? Would you vote to set it as a special order?"

Morris: That means take it out of order?

Rodda: Out of order. I said, "Well, I don't want to do it if it's just you and I who vote for such a motion. If you've got a pretty good number of supporters, I'll go with you." So he came back and said, "I think we'll try it." So Ed Regan stood up and moved that the bill be set as a special order--I think, at 10:00 or 10:30--and it was debated.

President Burns came over to Regan and stood in front of him and shook his hand at him like this [gestures] and said, "You so-and-so! You know that we're not supposed to do this! It's a violation of all tradition," etc., etc., etc. Regan laughed and shrugged his shoulders.

The debate took place. The motion was passed, the bill was set as a special order, considered, and acted upon. It was approved. The votes were there, but they never would have gotten to that bill if it had not set it as a special order.

Morris: If somebody hadn't moved to take it out of order?

Rodda: Yes. Then during the next session, Regan was appointed to the appellate court.

Morris: Aha!

Rodda: Draw your own conclusion. [chuckles]

Morris: Yes. [laughter]

Rodda: Regan was a conservative Democrat, but he was really a pretty moderate man, Ed Regan. I liked him, worked with him. Well, anyway, it was an interesting experience.

Morris: I came across a mention that the hearings on the Rumford Act were the first time that the legislature had had demonstrations, that there were people in the committee rooms, I guess, and in the corridors of the capitol.

Rodda: Well, see, I was not too much involved in that procedure because it involved the Government Efficiency Committee and I was not a member of it. I'm not sure that Rattigan knew Regan was going to do it; I don't think he did. I think--

Morris: But it sounds like there were a couple of people who were looking for a way to get this out for a vote.

Rodda: Yes. I think Regan just got up and made the motion and then Rattigan and a few of us, the liberal elements, supported it--Fred Farr, Cobey and people of that nature--but Regan did it.

Morris: Was Ed Regan likely to do this kind of thing?

Rodda: Well, it wasn't a piece of legislation that you'd think he would become involved in, because it wasn't really his cup of tea. But, as I said, he was a moderate, a moderately conservative Democrat, and I think he thought that it was an opportunity for us to achieve some progress.

#### Legislation to Relieve De Facto School Segregation

Rodda: Incidentally, I was concerned about segregation in the schools at the time, so I authored a bill the same year which was an attempt on my part to reduce de facto segregation, not de jure segregation, in the schools. The bill was developed by me with the assistance of Marian Joseph, who is now in the Department of Education under [Wilson] Riles, and Dr. Riles, who was then employed in the [Department of] Education and had an administrative position, I believe, which related to the implementation of legislation that was passed in 1957 to reduce discrimination in the hiring of teachers. There was a special, very small commission which was created as a result of the involvement of the AFT, as I recall, to address that issue.

Morris: That's an interesting connection.

Rodda: Yes. I think if you trace it--now, that was prior to my time.

Morris: Not much.

Rodda: No. That was in '57. I came in in '59.

Well, my legislation was approved by the Government Efficiency Committee and, incidentally, Regan helped me develop amendments to the bill in the Government Efficiency Committee, which made it possible to enact it. The Government Efficiency Committee traditionally met the night before the official meeting for a dinner provided by the third house. The committee members had a complete file with an explanation of the bills under consideration and the committee consultant was present. They reviewed all the bills and, in effect, decided what the committee would do, prior to the regular meeting. To a certain extent the public meeting was a private affair--non-public, as it were.

Morris: It was sort of a foregone conclusion.

Rodda: Yes, the regular meeting became something of a charade. Well, I thought that my bill would perish. It was not a popular bill. It was not a very strong bill. But Ed Regan, when I presented it before the committee, helped me to introduce amendments which made it acceptable to the committee and it was approved and sent to the floor.

Now, what did it do?

Morris: This was on school segregation?

Rodda: Yes, it was the de facto segregation bill. It provided that districts experiencing problems of de facto segregation could go to the Department of Education and confer with a special agency which was created from the commission on teacher employment discrimination, as I recall--you know, I'm trying to remember things that happened years ago.

Morris: I would like to hear this because it's about time to go interview Wilson Riles. [laughter]

Rodda: Yes. So the commission's role was expanded and the districts were authorized to approach it for information and counsel and the Department of Education would advise them with respect to how they might attack their segregation problem. The options that were understood to be available were voluntary, not mandatory, busing, redrawing of the lines of school attendance, relocating schools, building new schools in a proper location, and even closing schools.



Rodda: Incidentally, one of the junior high schools in Sacramento burned down at that time. It was a school located near Fourteenth Avenue. It was a significantly segregated school and I have a letter that I wrote to the local board of education urging that the school not be rebuilt. I do not oftentimes intervene, but I suggested, "It would be inappropriate to build this school. The district does not need it and it can send the children to other schools." I think they had four or five junior high schools, intermediate schools--I argued that it would not inconvenience anybody and the district would not have to do a lot of busing. And they did it. So they significantly reduced segregation. It was done under the direction of Superintendent of Schools Mel Lawson, who was really under an awful lot of pressure at that time with respect to this issue. So the school district addressed significantly the problem of segregation in our junior high schools in the Sacramento area.

Of course, I was moderate in my position because I recognized that the schools were not engaging in de jure segregation, as was the case in the South, but in de facto segregation. Such segregation was not specifically a school district problem, but it was their problem if they did not address it rationally and reasonably and constructively. De facto segregation was a result of the way in which our urban areas were developing.

Morris: Yes. It has some interesting comments on what the local climate was like.

Rodda: Right. Well, anyway, the bill became law. I can remember presenting it before the Assembly Ways and Means Committee. Nobody was paying any real attention to it, and I said, "Here's a problem in education. Unless we address it constructively, and this is just a band-aid approach, the schools are going to hear a lot more about this issue in the future."

Morris: You could see it coming?

Rodda: Oh, sure. They laughed. It didn't begin to compare with the Rumford Act in terms of its importance, but it was a very substantive bill in terms of its attempt to address a problem which, obviously, anyone who was knowledgeable or thoughtful, could perceive to be one that was going to become very acute in the future.

Morris: When you were working on passing the Rumford Act, did you have any suspicion that there would be an initiative to repeal it, that the feeling in the communities was that strong?

Rodda: Oh, yes. The fact is, I wrote a paper on that issue in the election of '64.\* It was Prop[osition] 14, I think.

Morris: Yes.

Rodda: I don't know whether you have that paper. Do you?

Morris: Yes.

Rodda: I wrote the paper in support of the Rumford Act and, to my amazement, the people who were opposing the repeal of Prop 14 reproduced it and distributed three or four thousand in this community. It was not politically smart for me to allow that course of action. Fortunately, my opponent then was not as serious an opponent as my opponent in 1960. He was a good opponent, an educator and administrator in the San Juan School District. I was not particularly popular because of the problem of unification in that area. I became less popular because of my position on the desegregation issue. He took, I think, a neutral position; he, my opponent.

Morris: Your opponent, yes.

Rodda: But, as I said, I opposed it and it was defeated, as I recall.

Morris: In Sacramento County?

Rodda: Yes.

Morris: Good for you.

Rodda: I am not sure. That is just a vague recollection I have. I know the water bond act was defeated in Sacramento in 1960 and I supported that; so I established a reputation for voting against my constituency. I do not know how I survived.

Morris: To what do you attribute your survival?

Rodda: I kept a low profile. [laughter] A smart politician does that.

Morris: [laughter] Does he?

Rodda: Yes, in my opinion.

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\*"Remarks on the Rumford Act and the Housing Initiative," Albert S. Rodda, 1964. Copy in supporting documents in The Bancroft Library.

Morris: He keeps a low profile. [chuckles]

Rodda: If he wants to survive. But if he is ambitious, or if he thinks an issue is important, he has to speak out. When I think an issue is important I speak out and make my position known. Those were two important issues. I could not ignore them; so I didn't have a low profile on those two issues. [tape off briefly, staff interruption]

I'll shut up. You've got plenty.

Morris: Oh, no. You're covering the questions I wanted to ask as you describe these things.

### Political Issues with Religious Implications

Morris: What I was wondering about on the Rumford Act and the other civil rights legislation is how strong a sense of religious commitment there was in some of the legislators.

Rodda: [pauses to think] Well, the one issue that was important was the capital punishment issue, about which people had strong opinions. With regard to that, I think it was more of a civil liberty issue and it [legislation to abolish capital punishment] was one supported by the Friends Committee on Legislation, which reflects the thinking of the Quakers, for example, genuine Democratic liberals, and also the Republican progressives were inclined to support such legislation.

But as an issue, I do not think the Rumford Act had the kind of religious implications in terms of people's votes or convictions as did, say, the issue of capital punishment or abortion. The abortion issue surfaced significantly in '67, the first year of Reagan's administration, with the legislature's approval of Tony Beilenson's--senator, now Congressman, Beilenson's--Therapeutic Abortion Act, for which I voted.

But the one issue that was important and which hurt Governor [Pat] Brown politically was capital punishment. When I was elected, not being an attorney, I was not too knowledgeable about the capital punishment issue. I can remember one of my friends, who was a political science teacher--I had gone to junior college and to Stanford with him, and we taught together at Sacramento High School and Sacramento City College--was against capital punishment and wanted to know my position in '58, my first year as a candidate. I did not have a position.

Rodda: After I was elected, we had extensive hearings in the senate on the issue because of a bill authored, I think, by Senator Fred Farr. I read carefully the material and heard some of the testimony, although I wasn't a member of the committee, and decided to vote against capital punishment, for the Farr legislation. It never got out of the committee. It was assigned to the Judiciary Committee. The senate was not reapportioned yet. It didn't have a chance. But Governor Brown did take a position in opposition to--

Morris: That was the time of the [Caryl] Chessman case.

Rodda: Then the Chessman case developed--because the legislation was considered in '59, you see. It had strong advocates (that is, the abolition of capital punishment) among the liberals, but it had little prospect for enactment. Then, of course, the Chessman case brought the issue into the political arena in a rather dramatic way. It affected the career, I am sure, of Governor Pat Brown.

Morris: That seems to be the general opinion. You agree with that?

Rodda: Yes. I have forgotten the date and cannot remember all of the circumstances.

Morris: It was '61 when Chessman was finally executed.

Rodda: Right.

Morris: And Brown made several efforts, either to get the state supreme court to make a ruling or to get the legislature to take action that would--

Rodda: And our effort failed. I can remember that young [Jerry] Brown called upon his father, as I understand it, and urged him to pardon him [Chessman]. But Governor Brown did not, and so it adversely affected him politically.

#### Personal Religious Background and Renewed Involvement##

Morris: I've come across several references to your own strong religious convictions and I wondered how these affected your work in the senate.

Rodda: Well, I am a person who has had rather a strong family background in which there was a significant involvement in religion. My grandfather, Reverend Richard Rodda, was a local Methodist minister and was also assigned churches in other parts of California--Ukiah, Chico, Santa Clara, Oakdale, and other areas.

Rodda: My mother died of the flu in 1919 and my father and brother and I lived with my grandfather in the parsonage in back of the Park Methodist Church for about eighteen months. Subsequently my grandfather left the ministry; he retired. My father and brother and I lived with him and our grandmother on 28th and P Street.

My father married a woman who was a Christian Scientist. She was Swedish. My real mother had been active in the church; she was a member of the choir. Our stepmother was very religious and strong. So my brother and I were brought up by a remarkable woman who was a strong disciplinarian, very religious and devoted to the Christian Science church.

As a young person in high school, I decided that I would not be too involved in Christianity, or any religion. I became what I called a secular humanist with an emphasis on stoicism.

Morris: That's a good historical tradition.

Rodda: [laughter] When I attended the university at Stanford, I majored in history; I also taught history and I used to spend a lot of time, when I taught western civilization and American history, in teaching the development of religion. I was a strong supporter of separation of church and state and of religious freedom.

So when I was elected, I was not active in a church, although I attended church from time to time. I married a Catholic because I wanted to marry a woman who had religious values. I did not care which church it was. My wife was a teacher; we met when we served as members of the same faculty. She wanted to have children and was ready to give up teaching, which was fine with me. So we married and she had three children. She's still an active Catholic. The children were brought up in the Catholic church, but it was mutually agreed that they would attend the public schools. We had a verbal agreement when we were married that that is what we would do, my wife and I did.

Well, once I participated in a hearing in an interim study on racial discrimination; as I recall, it was the Joint Committee on Discrimination in Public and Private Agencies of Government and Employment, with emphasis on the civil agencies of government. It was a very controversial time. The chairman, I think, was Jesse Unruh. We received testimony in the L.A. area about discrimination on the campuses and discrimination in local government.

Morris: This was racial discrimination?

Rodda: Yes. We also received testimony on racial discrimination in employment in state government. We then received testimony on discrimination in various communities, including this community, and it was pointed out that even in the churches there was discrimination in Sacramento. We only had, it was said, two desegregated churches, both in the Oak Park area, one in the Lutheran Church and one in the Oak Park Methodist Church, where my grandfather had been the minister, although that building had been torn down; they have a new church. But I knew that the Immaculate Conception Church, which is a Catholic church, was desegregated; it was not segregated. The minister in the Oak Park Methodist Church was a Chinese, Reverend Choy. Now he is the Methodist bishop in Seattle.

So I went to the Oak Park Church in order to find out what it was like and I became involved somewhat in the church and began to attend regularly, and I still do. I go to the Oak Park Methodist and my wife goes to the Immaculate Conception Church.

During the late and middle '60s, I was having some psychological problems because of the seriousness of the issues, the in-house conflicts going on, especially after 1966 and the session in '67, because of the pressure from the new Democratic senators, mostly from the assembly, who replaced a number of my former associates who were eliminated because of reapportionment. They wanted to reform the governmental structure of the senate, make it more democratic, more representative, and to oust President Pro Tem Hugh Burns. I identified with them and it was a fight of major proportions.

Morris: You identified with the younger reform group.

Rodda: Yes, on that issue. The Republican effort was led by Howard Way, who was a very religious man, and the Democratic effort was led by such men as Senator Tony Beilenson and Alfred Alquist, and men of that kind. Well, I identified with them, but I said, "I do not want, as a matter of loyalty to the party, to turn the control of the senate over to the Republicans if they do not control the senate."

When George Miller passed away and Senator Nejedly was elected to his place, as I recall, the vote shifted to twenty-one Republicans and nineteen Democrats. The Republicans had control.

Morris: Oh, boy!

Rodda: So I said, "All right. In that context, I think it's only appropriate for Senator Way, if that's what the Republicans want, to become president pro tem."

Rodda: Well, a very serious internal struggle developed and, as a consequence, I began to feel nervous and psychologically depressed and my heart began to beat hard and irregularly. I think you can understand.

Morris: I can believe it, yes.

Rodda: My wife and I took a train trip to New York. We rented a car and drove through New England and on up to Quebec and Montreal. We took a train from Montreal to British Columbia and we flew back to Sacramento.

At the time, I was reading William Bartlett, The Irrational Man. I was lying in the train and my wife was sleeping in the bunk beneath me. I was reading Bartlett's comparison of the thoughts expressed by Kirkegaard and Sartre, one a religious existentialist, a Christian, and the other a humanist or non-Christian existentialist, and it was pointed out that one had to make a choice, one perspective or the other. I made a choice and decided in favor of Kirkegaard. I subsequently wrote a paper entitled "Freedom With or Without God."

So I began to think a little bit differently. My values remained the same since I've always contended--and I wrote a paper in which I addressed that issue before the Church Service Bureau in Sacramento and when I wrote a letter to our friend in San Francisco who writes for the Chronicle, the Irishman. What's his name?

Morris: Arthur Hoppe?

Rodda: No, not he. Oh, you know. He's bright and intelligent. Oh, isn't that funny? I can't think of his name. But he made a comment in his column about Methodism and John Wesley. It was Charles McCabe.

So I wrote Charles a letter and said, "Gee whiz, you'd better check your history out. You haven't interpreted the role of Methodism or the role of John Wesley appropriately." So I addressed the issue in the paper that I wrote Charles and in the presentation that I made before the Church Service Bureau, which at that time was called the Council of Churches. I also wrote the paper which I delivered to the Oak Park Methodist Church, called "Freedom With or Without God."

Incidentally, I appointed the first chaplain who was non-Christian. That action reflected my ecumenical perspective.

Morris: To the senate?

Rodda: Yes. A Buddhist. That action created a controversy throughout the state. I had prepared for such a controversy. As the senator for Sacramento County, I had the privilege, and I still do, of appointing the senate chaplain. When I was first elected, I represented the entire county. Because of my conviction about religious freedom, I rotated the chaplaincy. I appointed the first black, the first Chinese, the first non-Christian (Buddhist), and the first Greek Orthodox. I also appointed Catholic, Jewish, Presbyterian, Anglican, even Seventh Day Adventist, as chaplain.

Morris: All the many fascinating varieties.

Rodda: I thought that if one were a genuine humanist, one's views would reflect to a significant degree the same values that Christ enunciated and that the Buddhists, also, subscribe to. I never could accept the idea of religious discrimination and I reject the idea of a theocratic state, which is what our "friend" in Iran has established; not our "friend," our "non-friend." I do not like to call my opponents, enemies; I call them my non-friends. Nixon spoke of his "enemies"; I speak of my "non-friends." That term has a little bit less hostile implication.

But anyway, I became and I still am significantly involved in reading in the area of existentialism, theology, and the history of Christianity. Of course, as I say, I taught the history of western civilization, so I am oriented toward Christianity and the values of Christ. I had problems with the Trinity, [soft laughter] but I've somewhat resolved that problem.

Morris: I think many people do.

Rodda: Right. One of the ways in which I've somewhat resolved it, at least to my own satisfaction, reflects to a significant extent my interest in the work of Victor Frankl, Man's Search for Meaning. He indicated and contended one had to transcend oneself. In his perspective there is a difference between personal transcendence and fulfillment. When one fulfills oneself, it's more of an expression of one's ego; when one transcends oneself, one is pursuing values which are transcendent and by means of such action one fulfills more than oneself.

Morris: Yes, and you're reaching out.

Rodda: Right. So I thought, well, a Christian who is a genuine Christian achieves transcendence through the implementation in his life of the values of Christ, which are really those of Holy Spirit. That conviction, to a certain extent, made me understand more meaningfully what the Trinity means, and it made it easier for me to become again, shall we say, a more genuine Christian. I don't know whether I am a genuine Christian or what a genuine Christian is.



Religion and the Secular State

Rodda: Incidentally, the people who alienate me from Christianity more than anybody else are the dogmatic Christians who think that their Christian values are the law, since they are the law of God. They come in my office and tell me how I should vote and argue that I'm not a Christian unless I'm willing to vote the law of God as they know it. A lot of their values are those of the Old Testament.

I have to say, "Well, that's not my interpretation of what Christianity means. My sense of Christian values is a different one from yours. And I must vote my convictions. If you don't like it, throw me out." I have had problems, but that's the way I have resolved them. I've written a paper on this too, one which I delivered at a conference held in the Fremont Presbyterian Church in the late '60s. I was asked to participate and to describe and evaluate the role of the Christian in government. I guess you have that paper.

Morris: I don't have it, but that's kind of the question that I was asking.

Rodda: Yes. The paper is entitled "Government: Friend or Enemy."\* It was a paper which I wrote prior to the other papers I mentioned. As a matter of fact, I spoke at the Presbyterian Church last Sunday and I cautioned them about the possibility that their idealism might lead them to become utopians and that that transformation would prevent them from maintaining some contact with the world of reality. I suggested they read some of my material.

But the point that I guess that I'm trying to make is that, as a legislator, I've argued that it's inappropriate in a secular state, where there's separation of church and state, to utilize the law as a means of mandating a particular religious moral code upon all people, whether they're humanist, atheistic, Buddhist, Moslem, or whatever they are. Unfortunately, that is what many of the evangelical type--I hate to use that word--Christians want to do, and that is why I have had problems sometimes with them.

I have argued that we must address those government problems which are of a secular nature and that we must retain for each person the opportunity to exercise in his or her personal life the religious or philosophical values that are meaningful to that person. So I've had problems sometimes.

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\*Presented by Senator Rodda March 4, 1966, at a conference sponsored by the Christian Education Committee of the Presbytery of Sacramento. Copy in supporting documents in The Bancroft Library.

Rodda: I believe in religious freedom and separation of church and state. Incidentally, that was one of the issues that was very significant when I had to vote on the bill which related to repeal of the penalties relating to sexual behavior which was not conventional, but which is engaged in by adults in their privacy and on a consenting basis. I've forgotten who the author was. I voted yes. As a matter of fact, I made a speech on the floor, which is recorded.

Morris: Did you?

Rodda: Yes.

Morris: Good for you.

Rodda: Then I have a paper on that issue too. I took my floor remarks, which were taped, and wrote them down, and that paper is available too.

The critical vote was cast by the lieutenant governor then, Merv Dymally. The vote was twenty-twenty. Incidentally, one of the yes votes was cast by Senator Howard Way, and I also voted yes. Merv Dymally cast the deciding vote. It was Willie Brown's bill; AB 489, I think.

Morris: That's interesting. I would not have thought it was that far back.

Rodda: Well, it was in Reagan's administration.

Morris: Right.

Rodda: But what I'm saying is that my involvement in religion was not too great until about '67 or '68. Actually my attendance preceded that time; I began to go to church when the issue of discrimination in religion was being studied by the senate--and, incidentally, I had an uncle who died about last year, who was ninety-four, who was active in--

Morris: A long-lived family.

Rodda: Right. [He was] active in church life, was a member of the church choir and active in the Orphic Octet, which sang religious music. He was quite conservative and opposed desegregation of churches.

Morris: He opposed desegregation?

Rodda: Yes. In other words, the opening of the churches to racial minorities. But I thought such action was good. In fact, I thought it was great. The Oak Park Methodist Church is desegregated. The

Rodda: church had an Oriental minister. They have blacks in attendance and now they have a black minister. And I appointed the first black, as I've indicated, who was a Baptist, to be senate chaplain, you see.

But in order to make the narration meaningful, I had to refer to it in the Reagan administration. Now I am much more religious than I was a number of years ago. I'm much more committed to Christianity. I have a better understanding of what the role of Christ was, and my life, I believe, is more meaningful. The change has provided me with a very important psychological and spiritual reinforcement.

Morris: Yes. And provided a resource for dealing with the kinds of tensions that must develop in a legislative situation?

Rodda: Right. I have resisted the pressures of personal ambition, although I'm not against ambition. As long as one does not allow personal ambition to become so significant that one becomes totally expedient, I have no objection to it. But if one becomes expedient, or opportunistic, one can become a political demagogue. And that tendency does become a characteristic of too many politically ambitious persons. That fact of political reality concerns me. I preferred to act responsibly and to accept the consequences and not to use the office of state senator to advance my political career.

### Representative and Participatory Democracy

Rodda: I've argued, therefore, that if I am defeated, that's fine, and I have to vote the way in which I think is appropriate. I'll listen to my constituents, but they'll have to understand that on significant issues involving what I think to be a substantive philosophical issue, I will have to vote on the basis of my convictions, my knowledge, and my expertise.

Morris: Isn't that the essence of representative government?

Rodda: Well, I thought it was, until I had a letter written to me from a conservative lady constituent last year. She took issue with me. We had a three-letter dialogue and finally I wrote her and mentioned that "I would have to vote my knowledge, my understanding of the issues, and my political philosophy--or my conscience. And if you do not agree with me, then, since I'm your representative, you should vote against me. Don't think that I'm going to vote with the majority of my constituents on all issues. If I were to do that you would not need me; you would need a robot which could automatically vote to reflect constituent thinking."

Morris: Right.

Rodda: And I used the word "mass man." The word mass man should be used cautiously. I began to use mass man because of my familiarity with the writing of José Ortega y Gasset in The Revolt of the Masses, in which he reflected in his thinking a kind of elitism. But there is a lot of truth in what he has written.

I'm worried about participatory democracy. I had supported the concept of the initiative and referendum, but I think the initiative, in particular, is being abused today and that, as a consequence, participatory democracy--may I borrow another word of José Ortega y Gasset--has almost become "mobocracy." What he was saying--and I think it's appropriate--is that one will not fulfill oneself unless one leads a structured life. A structured life means a life which reflects values. If you're a Christian, it reflects the values of Christianity, which is what Kirkegaard was saying. Sometimes one just has to violate what is looked upon as the standard or popular position. One must do so because that position is not an ethical position. One makes the existentialist decision, as I frequently observe.

Well, I'm sorry I'm yakking so much, but anyway--

Morris: Not at all! I'm impressed that you've kept up with your reading on nongovernmental subjects so well. [chuckles]

Rodda: Well, at night I watch the news and not infrequently, if I cannot sleep, I'll read before retiring. Not infrequently the area in which I read is either economics, philosophy, or religion. Because I have a background in teaching economics and history, I have been very much interested in historical development--especially religion, philosophy, psychology, and economics.

Interestingly enough, because of my awareness of the views of José Ortega and because of my concern about the impact of contemporary psychology on human behavior, and I'm not referring entirely to the Pavlovian concept of--

Morris: Conditioning?

Rodda: Right, an approach to human behavior which has been developed more meaningfully, I think, and rationally by [B.F.] Skinner. At any rate, because I am concerned about human behavior, I am interested in the impact of Freud--I call him "Fraud"--Freudianism upon contemporary society.

Rodda: My observations have carried me to conclude that what is happening is that our society is failing in that we are inclined to accept the idea that the individual is not responsible. We contend that he is the product of his environment, or he is the product of his genetic background, or, from the Freudian perspective, his own drives, and, as a consequence, we have almost reached a point in our lives which, because of the impact of modern hedonism and commercialism and the emphasis on the rights of the individual, we have ignored the fact of life that a person achieves personal fulfillment through living a structured life, or in trying to achieve personal transcendence, and in so doing, contributing positively to society. If we structure our lives we are governing ourselves and if self-government means majority rule, it also means self-government in that individuals govern themselves and observe--

Morris: A sense of restraint and discipline.

Rodda: Right. Personal ethic, right.

So that's why I've become involved in trying to encourage schools to develop a meaningful program in ethical education, or education in values. The fact is, I'm chairman of a select committee to address two issues; one of small school district finance and the other of values education.

Morris: This is a senate committee?

Rodda: Yes, it was created this year.

Morris: That's absolutely fascinating.

Rodda: But I've been involved in the idea of character education for at least ten years.

#### Pressures on a Legislator

Rodda: But in response to your question, I should indicate that as a young man I regarded myself as a humanist and one who thought he could make his life meaningful through the personal implementation of, shall we call it, Greek stoicism. I reached that conclusion when I was a high school senior. I became ultimately committed to the Christian religion, however, and much more active in it. And so, I no longer call myself a humanist existentialist; I call myself a Christian existentialist.

Rodda: That accounts, I think, for my concern about improving values education in the schools. One of the lessons that I have learned is not to be hostile toward anyone, especially my colleagues. I do not believe in punitive action. If they vote against my bills, that is all right with me. I vote for theirs on the basis of merit. They are entitled to do the same. I refuse to allow people who do not have meaningful values and express them in their lives and who can be ugly, difficult, and sometimes engage in retribution to interfere with my personal life and to upset me. I cannot afford to do that. So I try to maintain a degree of philosophical calmness, as it were, by judging the issues on the basis of their merit, doing what I think is right, and stoically accepting defeat, if that is what is to happen to me, either on a bill or in an election. I know I can survive.

Morris: It sounds like a very constructive way to work in a legislative session of so much give and take.

Rodda: You're right. Boy, the people do not understand the tensions and pressures we are under. For example, the pressures that Lincoln was under were so damaging that they had an adverse effect on him psychologically. It's just very--

Morris: Yes, we've put a tremendous burden on our elected representatives, I think.

Rodda: Right, because they all want you to--that's why I wrote "The Politician's Decalogue." I guess you saw that.

Morris: Yes. I enjoyed that.

Rodda: That document reflects the attitude of the public, I believe. They want us to be statesmen, but they also want us to respond to what? Their unique problems.

Morris: Yes, their immediate concerns.

Rodda: A politician has to do that, but, on the other hand, he has to realize there is a public interest, and that on certain occasions he has to vote on an issue even though the vote might be against the majority will of his constituents.

I did that on the Water [Bond Act] in 1959. One of the groups that supported me when I voted for the Water Bond Act was the League of Women Voters. They engaged in fine, in my opinion, research on that issue. Ultimately, despite the fact that it was controversial, the organization supported the Burns-Porter Water Bond Act. That reinforced my confidence in my decision. I think, as I said, that the vote in Sacramento County was 60 percent "no." [laughter]

Morris: [laughter] Did that reflect the fact that there is heavy government employment in Sacramento?

Rodda: Right. But this county has never been sympathetic to the state water plan, and yet it has been very helpful. This area would have experienced floods had it not been for the Oroville Dam, you know. Now my constituents don't want the Peripheral Canal. Well, I don't want to vote for the Peripheral Canal if the concept fails to protect the Delta. With the proper safeguards, however, I will support it.

I'm sorry. I'm wandering around.

Morris: Not at all. I think this is a good place to stop for now.

Rodda: All right. I've about run out.

## IX PERSPECTIVE ON LEGISLATIVE ISSUES, 1966-1974

[Interview 4: January 13, 1981]##

The Senate Education Committee, SB 65, and SB 90

- Rodda: I still have a stack of letters that I am trying to answer from people all over the state who have indicated their disappointment over my defeat. I should acknowledge their thoughtful letters. I also have an agenda that is unbelievable, reflecting people's interest in having me speak. Besides that, I will begin teaching a course at the end of this month. It will be at Cal State University, Sacramento, in the area of state and local government finance. So I am developing the course outline now and doing some research--in areas in which I have a deficiency with respect to some of the minutiae.
- Morris: Is this going to be policy or theory?
- Rodda: It's more policy and history, but with some emphasis on theory. It's an upper division course, and it is taking a lot of my time because I need to have the course outline ready at the end of the month. Sorry, I'll be right with you. [tape interruption: telephone rings]
- Morris: Where we are now is getting to the planning stage of the next unit on California state government and as the legislative dean, your kind of perspective would be helpful in terms of where the legislative issues were that were most important from '66 to '74, and then who were the key people.
- Rodda: So that you could use this interview as a framework with respect to the questions you might address others--
- Morris: Right, and the people that would be most significant to make contact with.



Rodda: All right. I chaired the Education Committee during Governor Reagan's term of office, and I served on the Industrial Relations, Natural Resources, and Public Utilities Committees, as I recall.

Now, in the education area--let's see, Governor Reagan was elected in '66 and finished his second term in '74. There was a critical court decision with respect to school finance reform, which was not fully addressed. It was not addressed in Governor [Pat] Brown's administration either. It was the Serrano decision and was rendered, I believe, in 1971. Reagan's response was SB 90, which was inadequate and was more of an effort to achieve tax relief-reform than school finance reform. That is an important area which you could discuss and interrogate people about.

Morris: Why did it go to the courts? Why was there a Serrano-Priest decision rather than a legislative bill?

Rodda: In Governor Brown's administration, we tried to achieve school finance reform. As a matter of fact, I authored such a bill. It was probably mentioned in the previous interview. As I recall, it was SB 65, Rodda, which was a school finance reform bill of a modest character. It would have implemented a county-wide school tax. If we had done that, some of the gross disparities or inequities in school finance with respect to the use of local tax revenues would have been eliminated and I do not think that there would even have been an effort made to go to the courts. We did not pass it, largely because of the pressure from the wealthy school districts. At the time, I told them that they were out of their bloody minds, but they never listened. Nobody listened to me. We would be in much better shape if they had. And, of course, the oil industry, the manufacturing industry, and the transportation industry all opposed it.

That bill was defeated in the Senate Finance Committee. Subsequently, other efforts at school finance, to implement school finance reform, were enacted. But they did not focus adequately on the reform issue. They focussed more on the problems of declining enrollment. As I recall, there was one effort to achieve some reform and that was to mandate that school districts unify.

Morris: Consolidate?

Rodda: Yes, consolidate. It was Jesse Unruh's proposal and legislation. District consolidation was significantly done because periodic consolidation elections were required under the law. I was on the conference committee on another one of the bills that Jesse Unruh and George Miller worked out and it provided for what we called slippage, which was a modest reform. Slippage was the term used to explain the fact that school districts lost revenue from the state

Rodda: because the assessed values per ADA increased. So in time of inflation school districts were losing revenue because they were experiencing an increase in their assessed value. The state thus reduced its appropriation. It was a significant problem. Local revenues increased but failed to compensate for increases in cost because of enrollment increases and related problems.

Anyway, the Unruh-Miller effort to achieve significant reform failed. My effort failed. And so the people went to the courts.

Morris: Who would it have been that went to the courts? Was there some kind of an organized group that--

Rodda: Well, it was a group of people who were active in civil rights issues. I think it was the Western Center on Law and Poverty. Serrano was a youth living in the L.A. area. The father was the litigant, but the legal presentation was made by the public interest attorneys, who I think have done education a disservice in a number of ways. I cannot remember the principal lawyer. McDermott was the one, I think; McDermott was the attorney's name.

Morris: For Serrano?

Rodda: He was the plaintiff lawyer with the Western Center on Law and Poverty. The decision was rendered and was known as Serrano. I wrote an analyses of the issue of Serrano in 1972. I'm sure you have a copy of it in your files. In the same year the senate developed a bill by [Ralph] Dills which was largely the product of the CTA [California Teachers Association] working in consultation with Dr. Ron Cox of the Department of Education and my staff people, primarily Jerry Hayward, consultant to the Senate Education Committee. The bill provided for a one cent sales tax increase and utilized the added revenues to achieve the Serrano decision compliance. The bulk of the increase in revenue would have been used to address the issue of Serrano and some money would have been made available to provide property tax relief through the schools.

When it was sent to the assembly, [Bob] Moretti, who was the Speaker and was working with Governor Reagan to implement a tax reform program and through enactment of AB 1000, Moretti amended AB 1000 into it. AB 1000 had been denied passage in the Senate Finance Committee.

Morris: By then you were senate finance chairman?

Rodda: No, I was just a member. But I was chairman of the Education Committee and I was able to implement, through the Finance Committee's action, about five amendments to AB 1000 which increased the assistance to the schools. The amendments were introduced by the author, Moretti, in the committee as author's amendments. Even so

Rodda: the committee killed the bill because, well, it would have provided for a one-cent sales tax increase and also an increase in its final version in the corporate profits tax. The added revenues raised the business inventory tax relief level to 50 percent. About \$1.1 billion would have been generated in revenues through the tax increases and of that amount about \$250 million, maybe \$300 million, would have been allocated to schools. The rest would have been allocated as to provide property tax relief to home owners, renter relief and to reduce the business inventory tax. But of the money that went to the schools, only about \$125 or \$150 million would have been for program improvement. Therefore, the legislation was totally inadequate as a means to address the Serrano decision. The bulk of the school money would have been to provide property tax relief. The other money, non-school, was to provide tax relief to property owners.

So when we killed it--and Howard Way, who was a member of the Finance Committee at the time and who was a Republican, helped kill it--Speaker Moretti took SB 90 and hijacked it. They sent it back to the senate after amending AB 1000 in it. It was then sent to a conference committee. [Nicholas] Petris served on the conference committee and helped raise the amount of money for programs which were designed to address the needs of affluent school districts, such as San Francisco where there is a large enrollment of disadvantaged youth and minorities. I've forgotten what we call that program. It had been enacted into law by former Speaker Jesse Unruh, but it had never been funded above the \$10 million level. I think the level then was about \$5 million. I think Nick Petris increased it to about \$80 million.

#### The Reagan Focus: Budget Cutting

Rodda: Anyway, that was important because one of the aspects of the Reagan years that you should address in your interviews is the problem that Governor Reagan had with respect to the state's fiscal situation. When he entered office, there was a deficit because the state's General Fund revenues had an elasticity which was less than one. And we refer to that as inelastic revenue source. For purpose of clarification, if the GNP (gross national product) increases by 10 percent and state revenues increase by 10 percent, the situation is one of unity or an elasticity of unity. If the revenue increase is less--say .9 or .93--it's called inelastic, but if it's 1.3, it's elastic. At the time, the elasticity was below unity, or one.

- Rodda: Of the three sources of income which were most important to the General Fund, the personal income tax was the most elastic because of its progressive rates and because we had not been indexed. The bank and corporate profits tax was modestly elastic. The sales tax, which was very important, was elastic only in the event that there was a serious level of inflation and a simultaneous expansion of the economy. At that time, our revenues had an elasticity of less than unity, but our expenditures had an elasticity which was either unity or greater than unity.
- Morris: Did the Finance Committee see the deficit problem as seriously as Reagan did?
- Rodda: He campaigned on the importance of budget cutting and placing constraints on expenditures because everyone realized the state was confronted with a deficit situation. As a matter of fact, the Brown administration avoided a violation of the constitution at the end of his last year--the budget for that year would have been '67--by drawing down on reserves in special funds that were available. They were funds which were not special in that they could be used for financing General Fund operations. (You had better check that out. My memory isn't too clear.) So when Reagan entered office, he knew that revenues were inadequate and he advocated a 10 percent budget cut. When his people came into the state capitol, it was pretty evident that they were novices. They were not well informed about state government. They had engaged in a very excellent, well-financed campaign against the incumbent governor who lacked party support because the Democratic party was somewhat fragmented at the time.

#### The Issues of Vietnam and Splits Within the Democratic Party

- Rodda: One of the big issues that had hurt Governor Brown was the issue of Vietnam, and I think we talked about that previously, because Governor Brown had not been in opposition to involvement by this country in that conflict. But at the CDC convention a position of opposition was approved and the CDC convention's position seriously weakened the unity of the CDC as an effective political organization. Some clubs withdrew because of the action. Some retained their identification with the CDC but they were less effective and active.

So one of the problems Governor Brown had was keeping, in my opinion, the commitment to the Democratic party of the real liberals--those who were against the Vietnam war and perceived Brown as being too moderate.

Morris: Where did Jesse Unruh stand in this? Did he take an active part in that campaign?

Rodda: In the election? I do not recall. It is my recollection, however, that he was supportive of the governor. The Republicans had a hit force and they went all over the state campaigning against Governor Brown. They would go into a community and focus, through the media, on the Brown administration and vigorously attack its record in a very negative way. So the Democrats organized a counter force. I was a member of that force and I've forgotten the other members. I think Assemblyman John Williamson was a member. I think that he was defeated that year because he had a new district and because it was a bad year for Democrats.

Morris: That was the year that there were a lot of shifts in the legislature because that was the election after reapportionment.

Rodda: Right, that was an assembly reapportionment year.

Morris: Yes, and nine or ten people who had been in the assembly ran for senate seats and were elected.

Rodda: Right, that was the year that senators [James] Mills, [Alfred] Alquist and [Anthony] Beilenson were elected to the senate. A number of senators, for example, Joe Rattigan, Virgil O'Sullivan, Fred Farr, and Jim Cobey did not seek re-election.

Morris: Because the senate districts were pretty much redesigned.

Rodda: Right, but was that in '66?

Morris: Yes.

Rodda: Yes, and some of us had to run again because of the way in which the court was interpreting apportionment, in 1968. I had to run in '66 and '68. But anyway, if I had run two years ago, I might have won this time. Fortunately, I didn't run two years ago! [laughs]

Anyway, I was on the Democratic Hit Force and, incidentally, it was hard to convince many Democratic legislators to serve on the Democratic counter force, or hit team.

Morris: Really? Why so?

Rodda: They realized that Governor Brown's re-election situation was uncertain and since it was a reapportionment year, as you and I recall, they were nervous about their own prospects. As a matter of fact, one or two of those who were on the task force to counteract the Republican task force were defeated as I stated. I think [John] Williamson was one. I was on it. I have forgotten who else was. Senator [George] Miller was one, I believe. He was re-elected.

Rodda: Anyway, there was a lack of support for Governor Brown. Interestingly, I can recall my reactions when I spoke to Democratic liberals who were faculty members at the California State College in Sacramento. It was then, I think, a state college. The faculty were terribly neutral. That's one of the problems I had difficulty with during that election year--convincing Democrats to vote for Democrats because the consequence would be worse than what they had if Democrats lost. I had a hard time, as I recall, convincing Democrats in the Sacramento area to vote for Hubert Humphrey for president in 1972. Because of his position on the Vietnam war as vice-president, they were unhappy, even though it was known that if he became president he would withdraw American involvement. I went around this whole valley area making a strong argument for Humphrey. I spoke to many extreme liberal Democrats.

I also had problems with respect to [John] Tunney when he was defeated for U.S. Senator in 1976. The Hayden-agnostics, as I call them, were quite negative. Gnostics believe that they have complete, sole possession of truth, superior truth even to that possessed by God. They regard their truths as absolutely inexhaustible. It was they who would not support Tunney because they regarded him as too moderate. He had defeated Hayden in the primary. So they get [Sam] Hayakawa as U.S. Senator. He, of course, is totally contrary to what they wanted. They also got Nixon in 1972; they got Hayakawa in 1976; and they got Reagan in 1966 because they wouldn't really support the Democratic party candidates.

Morris: So you are saying that the Democratic party structure itself was not unified and cohesive?

Rodda: Right, and one of the issues that was significantly responsible for that was the Vietnam war. But with respect to the people at Cal State, the issue was the fact that Governor Brown had underfinanced higher education. At the time, the rate of inflation was modest. In 1972 it was running at a rate of 4 percent or 4 and a half. It must have been 3 or 3 and a half percent in the sixties. Governor Brown supported, because of state budget constraints, a very modest cost-of-living increase for a couple of years. So the university and state university and college faculty people were a little bit upset with Brown. That is why I could not convince them meaningfully to support him. They were upset over that problem, and they were upset about his Vietnam war position. Obviously, he was not sufficiently liberal. But, I also think that they thought Reagan did not have a chance.

Morris: They didn't realize the kind of organization job that the Republican party had been doing since '58.

Reagan Campaign Methods

- Rodda: Right, and Governor Reagan used to campaign in a manner similar to in 1980 and to what the Republicans have done consistently. The Democrats are beginning to learn belatedly how to do it, unfortunately. Reagan hired top-flight opinion-poll takers. I've forgotten the firm that he used. I think there were one or two.
- Morris: He used somebody in southern California called Holden and Plog, I believe.
- Rodda: These specialists were able, through their poll taking, to determine what the sensitive issues were with regard to public opinion. Then Reagan capitalized on that knowledge. When he was governor, they continued to take polls, and as governor, he would study the polls and his conclusions would significantly influence his position on basic issues. When his people were brought into the governor's office, as I was saying, after the defeat of Governor Brown, they were not very knowledgeable. They had conducted a campaign based on consideration of special issues. It was a single-issue type of campaign. But the broad issues that they emphasized in the campaign were the importance of keeping taxes down, the importance of keeping expenditures down, and then, of course they were--
- Morris: They were going to bring business management expertise to Sacramento.
- Rodda: Right, and make government more efficient, which was part of the spirit of the tax revolt.
- Morris: Fiscal responsibility--
- Rodda: --Fiscal responsibility, which has been characteristic of American life since colonial times. Anyway, I'm sorry I've digressed so much. Governor Reagan came into office after winning such a campaign and he advocated a 10 percent reduction across the board in the budget for '67. Fiscal year 1967-1968 would have been his first budget. He quickly discovered that there were a lot of federal mandates, as the present administration is finding out, and also state law mandates some which required automatic increases which were beyond budgetary control.
- Morris: In things like the welfare and education programs and--
- Rodda: Yes, and evidently he had not been made aware of those aspects of state government. As a consequence, Governor Reagan had to abandon his budget proposal--it was rather a drastic one as I recall--and make selective budget deductions.

- Morris: Did his drawing back from that position come about because his own advisors pointed this out to him or did the legislature convince him?
- Rodda: When he and his people came into office and began to confer with the bureaucrats so-called--
- Morris: The career staff?
- Rodda: Yes, the career executive people. He quickly discovered what the fiscal problems were. As I said, many of his staff were virtual novices. I really think that they had in mind using the governor's position, using Reagan's position as governor, as a step for him to the presidency.
- Morris: As early as that?
- Rodda: As early as that, right. So what he did in the first or the second year--I'm not sure whether it was 1967. I think George Deukmejian offered a tax increase bill. I have to check the specifics, but it did increase the personal income tax, as I recall, and made it more progressive. The bank and corporate profits tax was also increased, along with an increase in the inheritance tax. That was his first tax increase.

#### A Note on Revenue and Taxation Committee Concerns

- Rodda: Anyway, the legislation provided the revenue necessary, about \$1 billion, to carry the administration through with balanced budgets until 1972. By that time, 1972, however, because of modest effective inflation on property taxes there was a need for tax relief. Incidentally, the Deukmejian legislation did provide for a modest amount of tax relief, the home owner's exemption was placed, I think, at \$750 and the business inventory tax was reduced by 15 percent. But what you need is to interview someone who is knowledgeable about this tax legislation, someone who was involved in it, perhaps a member of the Revenue and Taxation Committee. Walter Stiern, I think, was chairman then. It might have been Senator Walter Stiern at that time because he was chairman for several years before Senator [John] Holmdahl became chairman.\* Holmdahl is no longer chairman.

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\*Stiern was chairman of the Senate Revenue and Taxation Committee in 1972.



Rodda: But in '72 when Speaker Moretti and Governor Reagan hijacked that SB 90, Dills, which addressed the Serrano decision and made it their tax relief reform bill, actually AB 1000, which the Senate Finance Committee killed, there was provision made for a one cent sales tax increase, an increase in the corporate tax, and an increase in the personal income tax. The specifics you will have to have checked out.

Morris: But the Rev and Tax Committee would be the place to look for that?

Rodda: Right. On the assembly side, with respect to AB 1000, you would gain a good perception of that legislation by speaking to Dave Doerr, who was the consultant to the Rev and Tax Committee with Robert Moretti, who was the author of the bill and was then assembly speaker. Assemblyman Bob Monagan was also very familiar with the legislation. Monagan and Jack Veneman were close to Governor Reagan, and Bob Monagan was the speaker for a couple of years under the Reagan administration.

Morris: I don't think we plan to go to Washington.

Rodda: Monagan is here.

Morris: Monagan is here, but isn't Veneman in Washington?

Rodda: No, he was, but he is now the legislative advocate for Sacramento County. He served in Washington for a number of years under President Nixon.

Morris: Is that the position that Frank Mesple had?

Rodda: Yes, he succeeded to Frank. But what Reagan did in his administration was to provide for a significant state tax increase as a consequence the enactment of two bills, the Deukmejian bill, as I recall, and the Dills bill SB 90. They provided significant increases in the home owner's exemption and renter relief, SB 90 building upon the first bill, the first law. What they also did was to make the state's tax structure more elastic because greater reliance was placed on the personal income tax for revenues and it was made more progressive. That was the Deukmejian legislation. Now, that legislation significantly contributed to voter support of Prop 13, which, of course, occurred in Governor Jerry Brown's administration. But if you look at the rate of expenditure increase during Governor Reagan's term in office, you will find that it is rather dramatic. It's about 10 and a half or 11 percent per year, I believe.

Morris: That's startling to look at when you compare it to his stated concern with reducing the state expenditures.

Rodda: In all fairness, you have to bear in mind that these tax increases provided revenues to address the deficit which he inherited, and also to provide [property] tax relief, renter relief, and to reduce the business inventory tax. So a lot of that tax money would come into the state but would be allocated to local level which were a result of increases in the property tax and the property tax on business inventory. So the 10 to 11 percent figure distorts the actual impact on government.

Now, another thing, 1965 the state enacted the Medi-Cal program--Medicaid--but in this state, Medi-Cal. It became effective in Reagan's administration--the first year, I believe. Its cost increased at a rate which was not anticipated at the time, as I recall.

Morris: There was an interesting comment in Sunday's San Francisco Examiner saying that when the Medi-Cal bill was passed in '65, it was thought that the federal government would shortly have a similar legislation so that the state expenditures would only continue for a year or two. Do you recall that perception?

Rodda: No. Of course, there is a federal government sharing of its costs, but what happened maybe is the federal government's rate of support was not as high as anticipated. At that time, the committee involved was Labor and Social Welfare. I was a member and so I participated in the hearings. Later on, they created a Health and Welfare Committee and renamed the Labor Committee the Industrial Relations Committee, and I was assigned to the Industrial Relations Committee. It's hard for me to remember the details. The program did cause an increase in the state's rate of expenditures.

Another thing that was a problem to the counties was the cost of General Assistance, which was totally borne by local government. If one were not eligible for AFDC or SSI-SSP [Supplemental Security Income and State Supplemental Payment], which were programs initiated by the federal government in response to the poverty situation, you could receive General Assistance from the county of residence and at a level of support established by the county. The assistance varied throughout the state and was totally a county cost.

In the early seventies, I authored a bill, which was never given serious consideration, to provide that the state would assume all the cost of General Assistance and all of the welfare costs borne by the counties. That was my approach to the issue of property tax relief--to shift the cost of those programs entirely to the state. I was, also, in favor of significantly addressing the Serrano-Priest decision, so I supported SB 90, Dills, in its original form as developed by the Senate Education Committee which I chaired. But Governor Reagan made it something else--basically a

Rodda: tax relief-reform law. I learned that if the state was to achieve tax relief-reform, it should assume the welfare costs which really are not appropriate to impose on the county property tax. Traditionally the school had been financed by the property tax.

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Rodda: In the thirties the sales tax was utilized to finance some of the costs of education. The justification for the increase in sales tax, which led to an increase in the state's contribution to the schools, is provided a lucid explanation in a book on California tax history by Dewey Anderson. Actually, the tax relief Prop 13 people are misrepresenting that tax shift because they contend that the sales tax was authorized to support the schools and that the whole sales tax should be used for that purpose. That is not true at all. The constitution is not that restrictive in its language.

Morris: That is worth going back to because I have read other brief descriptions of the sales tax which say it wasn't initiated to provide funding for the public schools.

Rodda: Part of it; not totally. Anyway, increased Medi-Cal and welfare costs caused the state budget to increase and that was one of the factors which made it necessary to have a state tax increase. Governor Reagan had to assume those costs which [Pat] Brown had not had to assume. The Medi-Cal costs first occurred in his administration, Governor Reagan's. Also, Governor Reagan was pressured to assume the cost of providing a significant amount of property tax relief. Governor Pat Brown had not had to do so. So if you take those two elements and you delete those from the budget, I think you will find that the budget was fairly moderate in its increase. But those costs distort the budget increase during Reagan's years.

Morris: Who from Governor Reagan's office would be the person who would come to appear before the Senate Health and Welfare and the Finance Committees who worked on these things?

Rodda: Oh, gee, I've forgotten. They varied. Caspar Weinberger was significantly involved as Director of Finance, and so was Verne Orr, who followed Caspar Weinberger.

Morris: Weinberger had been in the legislature earlier himself, in the assembly.

Rodda: Right, a Republican from San Francisco and a moderate or Republican progressive.

Reagan and the Republican Party

Rodda: The interesting thing is that during the Reagan years, the word "progressive" just gradually disappeared from the Republican party nomenclature, if I may make that comment. That occurred after the passage of legislation to eliminate cross-filing in the primary elections. Governor Reagan controlled significantly, as governor, the campaign monies that were raised to support Republicans and he was very negative about allocating Republican primary money to the so-called progressives. So the word "progressive" disappeared, and the word "moderate" appeared as an adjective. The progressive Republicans referred to themselves as moderate Republicans. Now, today even the word "moderate" has disappeared. So you only have Republicans and conservative Republicans.

Governor Reagan contributed to that because Reagan was quite an effective politician. Remember, in his first primary election he had to run against former San Francisco Mayor [George] Christopher. Mayor Christopher of San Francisco reflected the so-called moderate Republican perspective which had been more traditional in California politics. It was reflected in the thinking of Tom Kuchel. As a matter of fact, Tom Kuchel was defeated by [Max] Rafferty, who was on the other side of this political spectrum. Kuchel reflected the thinking of Earl Warren, who reflected the thinking of Hiram Johnson--California progressives.

Now, Governor Reagan, after the primary, succeeded very effectively, I think, in healing the wounds which the 1966 primary had caused in the Republican party; Brown did not achieve the same results in the Democratic party. Republicans have a better ability to do that, maintain party unity. Remember, under Reagan's administration the Republicans introduced what was referred to as the "Eleventh Commandment."

Morris: "Thou shalt not speak ill of fellow Republicans." That has been attributed to Gaylord Parkinson when he was chairman of the party.\*

Was there any sense that Mr. Reagan was directly involved in some of these political plannings for elections, or was it party officials like Weinberger and Parkinson?

Rodda: I think Governor Reagan worked through the party organization which gave him their full support. That is my opinion. For example, it was very difficult for Milton Marks under Governor Reagan. It has always been difficult, of course, because he is a Republican representing a 27 percent Republican area.

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\*Parkinson was chairman of the Republican State Central Committee in California, 1964-1967.

Morris: In a Democratic district. [laughs]

Rodda: Right, a 27 percent Republican area. Let's see, who are some of the other moderates? Oh, Senator Peter Behr also had problems. I think Peter Behr quit partly because he was smart enough to realize that because of the character of his constituency and the political trends, it would be too much of a burden for him to run. So he quit.

Anyway, there were a few moderate Republicans in Reagan's administration. And if you check it out, I think you will find out that Assemblyman Robert Monagan and Jack Veneman were not reactionary rightists. They were more reflective more of the moderate Republican position and I think that Monagan was involved in the Christopher campaign in the primary [in 1966], and he was the leader in the assembly.

There were other Republicans in the assembly who didn't share Reagan's so-called reactionary philosophy. I think Reagan is really a political opportunist; I have to conclude that.

Morris: That the money was available from more conservative sources?

Rodda: The money came from those elements and he saw to it that it went to conservative Republicans who were challenging, or were being in the primary elections challenged by moderate Republicans. They had the money; the moderates didn't. So the electorate began to elect more conservative Republicans, and, as a consequence, the moderates in the Republican party began to be phased out. The term was phased out; they were phased out. Kuchel went, defeated by Max Rafferty. Ultimately, others just lost the ability to survive or gave up and withdrew from politics.

Morris: Monagan did not stay on in the legislature, but it's interesting that he was chosen as speaker [in 1969].

Rodda: Right, because he was an influential person in the minority party under Governor [Pat] Brown and Speaker Jess Unruh, and so he succeeded to the job of speaker and worked with the Reagan administration. But Reagan had a hard time in a sense, given the political situation. He had to learn to be realistic and condition his conservatism in order to gain the support in the legislature for legislation his administration was sponsoring.

Morris: In other words, Reagan needed some moderate support.

The Beilenson Therapeutic Abortion Act

- Rodda: Right, and that came into focus when he supported and signed the Beilenson Therapeutic Abortion Act. You ought to interview some of the people who were involved in that issue in 1967.
- Morris: Yes, who would there still be around?
- Rodda: Well, let me see. I think former Assemblyman Craig Biddle, who was the assemblyman co-author, is in Sacramento. He is a lobbyist for school districts, and he is a member in a law firm with John Buckey, and Robert Walters. Talk to him, former assemblyman, Craig Biddle.
- Morris: Good, because just as a sign of where the society was, that whole question of the therapeutic abortion bill is very important.
- Rodda: Governor Ronald Reagan, supported by the moral majority, signed a therapeutic abortion bill which, insofar as its provisions are concerned, was fairly conservative and moderate. But when the legislature had the abortion issue before it in the budget deliberations, several years ago, '78 and '79, the compromise achieved was similar to that which was in California law but which had been held unconstitutional by the United States Supreme Court. The United States Supreme Court decision was that the government may not deprive a woman of her right to an abortion.

But in Congress the Hyde amendment was placed in the budget of the United States and that amendment denied welfare money to women who could not afford an abortion, although they had a right to it.

So, language under pressure from the Planned Parenthood people was introduced into the state budget which provided money to finance abortions in California subject to several restrictions: if the pregnancy resulted from incest or rape, or if the mother's life was endangered. Incidentally, that was as far as the Beilenson legislation went. But we added in the amendment and into the budget, as I recall, you better check it out, [to allow abortion] also if the child might have a serious physical or mental disability.

- Morris: There was also the mental health aspect, if the women's mental health was potentially affected. Was that in your amendment?
- Rodda: No, we were unable to include such language in the budget amendment. We had to keep the amendment restricted to those situations in which the mother's health would be significantly affected, and as a consequence, her life placed in jeopardy.

Rodda: But the pro-life people said that language, that her health would be significantly endangered, would be so broad that any doctor could say that an abortion is warranted. They desired, therefore, that the language be more restricted. A finding would be required that the mother's life would be in jeopardy. You better check out the issue as it related to the psychological implications for the mother. I cannot remember all of the details; I also lack expertise.

Morris: Yes, we will do some digging when we get to that.

Rodda: What you might question former Assemblyman Biddle and others who were involved in that legislation about is the difference between that, the legislation, signed by Reagan, and the compromise proposal that was placed in the state budget in those years. You could talk to former Senator Jerry Smith. He significantly helped, and he's an appellate judge in San Francisco and would not be hard to contact.

Morris: That is within our territory.

Rodda: No, but he was on the Budget Conference Committee with me when the committee developed that compromise amendment, as I recall. It was the abortion issue during the first year.

Another person who is very knowledgeable about the issue would be former Senator Arlen Gregorio. It practically led to his withdrawal from the senate.

Morris: Really? How so?

Rodda: He was on the conference committee that year [1977-78]. I appointed him because I was the senate author of the budget. He said, "Gee, Al, I may not be able to vote for the budget if we fail to finance abortion for the poor." I said, "Why don't you do this? Help me in the conference committee gain approval of the budget. Then when it's on the floor, do what you want or your conscience dictates." Roberti, in an amendment on the floor struck all financial support for abortion when I was presenting the bill for senate approval. So the senate version of the budget had no funding; the assembly version had a moderate level of funding, and we finally reached a compromise. Assembly John Vasconcellos and Senator Jerry Smith were significantly involved in the compromise and I think that Jerry Smith was the one who worked out the final, ultimate compromise language.

Morris: He was the senator from where at that point?

Rodda: Santa Clara County. As I said, he is now an appellate court judge serving with former Senator Joe Rattigan. So when you talk about the Reagan administration, I think it's important to check with people who had knowledge of the abortion controversy because Governor Reagan encountered difficulties with respect to the enactment of the law from some Republicans, moderate Republicans.

Morris: But Reagan did finally sign the bill?

Rodda: Oh, yes.

Morris: From your observation, what was the final deciding factor?

Rodda: I do not know. I was not familiar with Governor Reagan's thought processes. But, he was committed to the legislation when it was developed on the senate side. Then there developed a problem on the assembly side, and he had to work with the Republican leadership to gain their support for a compromise. I think that the issue was one within his own party, some of the Republican legislative leaders desiring the enactment of a compromise bill--the moderates, of course.

Morris: At some point, Reagan was actively involved in trying to get the bill passed?

Rodda: Oh, yes. He learned that he had to do that. That was one thing he learned in his administration. He realized that he could not remain aloof from the legislative process if he wanted to achieve any kind of meaningful program. That meant that he learned to compromise, so he compromised on SB 90, AB 1000, and he compromised on therapeutic abortion. He also succeeded in achieving enactment of a very important welfare reform act. It was done in one of the last years of his administration.

Morris: Yes, I think it was '72 or '74 when the climate was finally--

Rodda: It changed the formula for state support for general assistance, placing the counties at a specific level of financial support and providing that that level, which reflected previous levels of support, would be their obligation and the state would provide a larger level of contribution. He also increased the state's contribution to other programs, but, in doing so, the legislation placed some controls over the programs so that their costs would not escalate unreasonably.

Morris: Would Reagan have some of the legislators into the office to talk about things like the welfare reform?

Rodda: Yes, there was a slight difference. When I went into Governor Pat Brown's office to talk with him, he would bring in to the meeting members of both parties. He would sit at his desk, which was a work desk with papers piled on it, and we would sit in vinyl chairs around the desk and engage in a dialogue. Pat talked to members of both parties. When Governor Reagan came into office, his wife [Nancy Reagan] redecorated that part of the governor's office. They brought in some interesting furniture--a long table and at the end of the table, crossing in T formation, another table. Reagan sat at the end.



Morris: At the T at the top?

Rodda: Yes, one might describe the furnishings as Victorian or modified Victorian, or classical. We sat in chairs which were straight up like that, essentially wooden in structure.

Morris: Dining chairs rather than--

Rodda: Right, so the governor would sit at the end and the legislators would sit at the table in a very formal manner.

Morris: Just Democrats at one session?

Rodda: My recollection is that there were both Democrats and then Republicans present. Now that young [Jerry] Brown is in office, that arrangement is out. He has a sofa and chairs, upholstered and non-upholstered, located around a round table. Over to the side he has a big table or desk. There are all kinds of literature piled on the large table and under the round table--you sit around the round table very informally and talk--are all kinds of literature which relates to problems of the environment, energy, tax reform and similar issues.

Morris: His personal crusades.

Rodda: So you had some kind of an idea of where and what his interests are. Young Brown is a very bright, knowledgeable person. He does an awful lot of reading. But anyway, that's another story.

#### Ronald Reagan as Politician

Rodda: However, let me point this out about Reagan--I think he is a very political person. Incidentally, I concluded that he would be a very effective candidate for political office before he entered politics. I was driving home from a legislative hearing in L.A. in 1964, I believe. It could have been '65; probably '65.

Morris: After he had announced he was going to run?

Rodda: No, that was before he had announced. He was making a speech--"the speech" (in quotes). When he was employed by General Electric, he made the speech all over the nation, and he was giving it in the Masonic Temple in Bakersfield, I believe. I picked it up on my car radio and listened.

Rodda: I was somewhat familiar with him because I knew of his background as former president of the [Screen] Actors Guild. He had been a super liberal, a responsible liberal, as I recall. I must say that he was a real liberal but responsible.

I said to my wife, "Boy, this man has a tremendous amount of political appeal. He is a potential candidate for Republican office, maybe governor, and he would be tough."

Subsequent to that he announced his candidacy for governor and he ran against the mayor of San Francisco [George Christopher]. The Governor Brown people were stupid in their direction of his campaign. They thought that Reagan would be easier to beat than Mayor Christopher, so they had Brown campaign against the mayor and they helped defeat him in the primary. He was in the moderate Republican tradition. The Brown campaign people thought their Governor Brown could beat the reactionary Republican, Reagan, more easily than the moderate Republican Christopher.

Morris: The "non-politician," quote-unquote.

Rodda: I've gotten off the subject, but what I have tried to say is that the people you should interview are those who were involved in education and tax relief legislation. Former Speaker Moretti would be one. He is not always here in Sacramento since he has businesses in Africa, I believe.

Morris: Does Moretti have an office in Sacramento?

Rodda: I do not know. I think he does. His home is here.

Morris: Our information says he is in Los Angeles.

Rodda: Oh, maybe it's in L.A.

Morris: Or Orange County.

Rodda: Another person that you could talk to about the SB 90 legislation bill would be Jerry Hayward who is the Chancellor of the Community Colleges and was my consultant to the Education Committee at that time, 1972.

Morris: He is now Chancellor of the Community Colleges?

Rodda: Yes, and he is here in Sacramento. He has an office downtown. Jerry could help you and so could the people who were active in the CTA at that time.

Further Thoughts on SB 90

Rodda: Do you know what happened? I was in opposition of SB 90 after it was amended in the assembly and I received a telephone call from Honolulu, I think, or Hong Kong, and it was [Wilson] Riles who wanted to lobby me to vote for SB 90. This was, as I said, after it was amended. I believe the administration had entered into an agreement with Dr. Riles in a related issue and the provisions of SB 90. Merv Dymally, who was then a senator, had authored Early Childhood legislation which Riles actively supported. Reagan agreed to sign the bill if the people in education would support SB 90. So Riles did. But there was a slippery little understanding introduced into the bill in the form of a phrase which provided that if a district implemented Early Childhood Education--now it is called school improvement--that the district would lose the money it received to finance the Miller-Unruh reading program.

The Miller-Unruh reading program was designed, after consultation with experts in education, to enhance the reading ability of students to read by providing regular teachers the benefit of assistance from reading specialists. The specialists had to take examinations and qualify after specialized training to serve in that role--Miller-Unruh reading specialists. The program was funded in 1969 at a level of about \$22-23 million, and a careful study showed that it was the most cost-effective categorical aid program. After SB 90 was passed, and this provision that I mentioned was triggered, the funding for the Miller-Unruh program declined and it reached a low level of around \$13 million. Subsequently I was able to enact legislation which modified the law and now there is a revival of Miller-Unruh. My legislation changing that provision in the law which caused the offset--Miller-Unruh money for Early Childhood money.

But Riles was a very strong advocate of School Improvement or Early Childhood Education, and so he supported SB 90 vigorously and lobbied me on behalf of it even though the bulk of the money, as the legislation was amended went to tax relief and less than in the original version of SB 90 to education and Serrano compliance. I have written a paper on that, too. Somewhere it's in my files. You may have a copy of it, of that issue. Anyway, you might talk to somebody--Jerry Hayward--on SB 90; Jerry Hayward, also, on Early Childhood.

Craig Biddle (because Tony [Beilenson] is in Washington) on the Therapeutic Abortion Act.

George Deukmejian could talk to you about the tax bill that he authored in 1967, I believe. He was the senate floor leader in the early part of Reagan's administration.

- Rodda: Now, former Senator Clair Burgener, I think, was significantly involved in the welfare reform bill that we mentioned.
- Morris: Yes, there is legislation that he carried.
- Rodda: He was a member of the labor [Industrial Relations] and Welfare Committees, as I recall.\* It's hard for me too--
- Morris: I can check that.
- Rodda: So Burgener possibly could help you with that legislation--the nature of the reforms achieved with respect to welfare.
- Morris: What trade-offs were needed.
- Rodda: Right. Remember, a bill I introduced provided in about '69 or '70 for a complete buy out of the health and welfare. It got nowhere; so the emphasis was on what we've already discussed--property tax relief to reduce local property taxes and also health and welfare reform to reduce local and state cost.

#### General Comments on Reagan as Governor

- Rodda: Now, there is one area of law about which you might talk with various people because it was a controversial area--conservation, and parks and recreation. I think that, with respect to parks and recreation, Bill Mott was outstanding. He was Reagan's man in Parks and Recreation. Some of the environmentalists were not too happy with him, but, considering Reagan's negativeness toward government expenditures and his statement, "Once you've seen a redwood tree, you've seen them all," I though Bill did very well.

We did not expand the park program to the extent that the environmentalists and the conservationists and the recreationists would like. But there was modest expansion, as I recall, and there was significant, meaningful development of the properties we had under Reagan.

- Morris: Did the senate do any approving of the governor's appointments at all? Is there some kind of a confirmation procedure?
- Rodda: We have to approve people that are appointed to boards and commissions. There is no requirement that the senate approve the people who are--

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\*In 1971-72 Burgener was on the Senate Industrial Relations Committee.

Morris: Not departmental?

Rodda: Staff people who are working in the governor's office. That is necessary.

Morris: You do approve--

Rodda: No, you don't. The senate approves people who appointed head agencies of government; they have to have approval.

Morris: Agency heads, for instance, and commissions.

Rodda: Right.

Morris: Is there a special committee that does that? How does that work?

Rodda: I don't recall that Reagan had any real problems in that area. There were occasionally problems, but normally the senate went along with his decisions and I usually voted for his appointments because it was my view that the people who elected him had chosen his philosophy, and if the appointments reflect the governor's philosophy and you can't prove that they're crooked, immoral, or incompetent, as a senator you have an obligation to support them. Right now they are putting what's-his-name through the ringer.

Morris: Alexander Haig?

Rodda: Yes. Of course, they don't like his philosophy, the moderates and liberals, but are trying to establish that he was related to the Watergate and therefore, his moral values are subject to question. Maybe that is some justification for non-appointment.

Morris: Is it the [Senate] Rules Committee that--

Rodda: The Senate Rules Committee usually has a hearing and the action by the Rules Committee is then taken, which means that the person's name is referred to the senate for approval, or the governor is notified that there is no approval. If action is taken, the name goes to the senate floor without or with Rules Committee approval. If it is non-approval, or rejection, normally the governor, in such a case withdraws the name before a senate vote takes place. Normally, therefore, only approval is under consideration by the full senate.

Morris: Before it goes to the floor to action.

Rodda: Now, in the case of Jane Fonda, which was an issue in my campaign. I voted against non-approval. In doing so I voted against a resolution on the floor presented by Paul Carpenter which was that her appointment

Rodda: not be confirmed. I voted against the resolution because the Rules Committee had not even given her a hearing. She didn't testify--that was a breach of the traditional practice. But my opponent, Senator Doolittle, indicated to the public that I supported her because I thought she was an appropriate appointee. But he contended that she was not a genuine American, and she would spend millions of California dollars as a member of the Arts Commission. That was not the issue at all. I might have supported her, but I would like to have had her have a Rules Committee hearing. But no Rules Committee action was taken. Had the committee voted disapproval the governor could have withdrawn her name. Paul Carpenter capitalized on the politics of her appointment. He is a Democrat and before the Rules Committee acted, he offered a senate resolution to deny the appointment. I voted "no" because the process had not been implemented.

Now, the chap who was Secretary of Resources, [Norman] Livermore, under Reagan, was more positive in many ways than I thought he would be. He served in state government during those years. There were questions raised with respect to the preservation of redwoods on the coast in those years and someone who was involved in that issue might be interviewed. On the senate side, I think that former Senator Peter Behr would be a good person to interview, as well as Norman Livermore.

Morris: Yes, we'd like to talk to him. He is doing some teaching now.

Rodda: Right, he is teaching law at the University, the Berkeley campus. So he's available. He was active, as you and I know, in conservation areas. Former Senator John Nejedly came to the senate after George Miller died. I think Senator George Miller died on New Year's day in 1968. Nejedly won that seat in a special election that spring, I believe.

Morris: Did he by and large follow in George Miller's steps and pick up his constituency?

Rodda: In many ways he did. I did not support him in the election. He has been the district attorney from Contra Costa County, and I regarded him as a conservative, at least as far as his platform is concerned. But when he was elected, he proved to be what I would classify as a moderate Republican and really a very responsible conservationist. He chaired the Natural Resources [and Wildlife] Committee for a number of years. But I cannot remember whether his chairmanship started when Reagan was in office, or after Reagan left. I think it was during part of Reagan's term of office and he certainly would have been involved in that redwoods [controversy]. He is intelligent and knowledgeable, as is Peter Behr.

The Democratic Leadership in the Senate and Party##

Morris: Do you have just a couple of quick thoughts about the Democratic party, and where there might have been tussles in how that was going to operate, and who the important people might be to talk to?

Rodda: That year, 1969, was the time when we unseated [Hugh] Burns as President pro Tempore. Do you remember? That was done by virtue of the fact that the so-called Young Turks of which I was a part, and the newly elected assemblymen to the senate formed a coalition which successfully unseated Burns. Howard Way, who is in Sacramento, would be the person [to talk to] because he was involved in that effort and he was elected President pro Tem. He served for about eight months and he was defeated.

Morris: Only eight months?

Rodda: Yes. Hugh Burns was defeated by Way and then Senator Jack Schrade succeeded Way within a year. Schrade was ousted and Senator Jim Mills was elected President pro Tem. You ought to talk to Jim Mills and Howard Way about the struggle for control of the senate. I was always a part of that effort because I had been a quiet senate rebel for years. I thought that there was a need to reduce the unusual power that the lobbyists had, given the power structure in the senate.

Incidentally, we did create in Senator Burns's administration the senate party caucuses. The chap who was significantly responsible for that achievement was Senator [Alfred] Song. Burns consistently opposed the caucuses and there never had been a caucus structure in the senate until the late sixties. Senator [Mervyn] Dymally was involved in that effort, too, but he is not available in Sacramento. Senator Mills could help you with that effort, I'm sure.

Because of the interest on the part of the senators who did serve in the assembly, we created, even though Burns did not like it, the Democratic and Republican caucuses.

Morris: Would you say that the creation of the caucus and its development would have led to Burns's ouster?

Rodda: No, not necessarily. Senator Burns was ousted by virtue of a bipartisan coalition. There were about thirteen Republicans and about eight or seven Democrats--eight of us, I think. When George Miller was alive, our strength was twenty-twenty. I said to the rebels, "When the vote is twenty-twenty, I will not support an effort to unseat Burns, a Democrat." When Miller died and Nejedly won, then

Rodda: it became twenty-one Republicans and nineteen Democrats. Then I said, "Now I think the Republicans, being in the majority, have a right to control the senate, and I will support Howard Way."

Then the Young Turks, with whom I was associated, had my support and we always had eight or nine Democratic votes, and thirteen Republican votes. Senator Clair Burgener, a Republican, I think, was with Howard Way. Howard Way could tell you who his Republican allies were.

When Way took over as President pro Tem, he reformed the senate, reduced the number of committees, and tried to make the senate more efficient and more democratic or free from third-house control. In so doing, he forgot to protect some of his friends and he lost power.

[tape interruption]

Morris: How about the Democratic State Central Committee?

Rodda: By that time I was somewhat withdrawn from Democratic party politics on the state level. I was so much involved in the legislature. But I must admit that I have never been a great activist. I was active in the CDC and I used to go to its conventions and I was very active locally, but never statewide as far as the party organization was concerned.

Morris: Has anything arisen to take the place of the CDC?

Rodda: It began to experience its demise because of the Vietnam war issue which caused a lot of clubs to withdraw. Today, many of the Democratic clubs are no longer active. The people who were active in those years have gotten out of politics, as it were, and the clubs that have survived are significantly liberal, very liberal. Many of them reflect minority positions. In this county, for example, there is an Asiatic club and a Black club, which I believe, is unfortunate.

Morris: It makes it harder to put together a working coalition.

Rodda: Right, that trend is hurting the party in my opinion, too many single purpose caucuses, as it were.

Morris: It sounds like Howard Way might be a good person to start with? How is he in being approachable and reminiscing?

Rodda: Oh, he's very approachable. Oh, he'd love it.

Morris: Is he still with the Adult Authority?

Rodda: Yes, he was approved. Oh, yes.

Morris: Great, don't let me keep you from your lunch.

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## X GOVERNOR RONALD REAGAN AND EDUCATION

[Interview 5: April 23, 1981]##

An Overview of K-12 Issues

Sharp: The main question I had was what your feelings were about the main changes made in education, K-12, during Ronald Reagan's period.

Rodda: Well, I think that there were two. Of course, one was the implementation of a number of categorical aid programs. They began as a consequence of the federal government's effort to provide financial help to state and local governments. It began with the Elementary and Secondary Education Act, and that led to the implementation of compensatory education in California. The state had started a pilot program at a cost of \$500,000, I think, authored by Senator Eugene McAteer. That pilot program had been in effect about a year when the federal law became effective, as I recall.

I'm having a hard time remembering the specifics, and I have not been able to go back and review the material which relates to the questions. But that was the first step, and I remember it.

Then, of course, we undertook to implement bilingual-bicultural education legislation. I authored the first legislation in that area. It was a pilot program to teach English as a second language, and it was terminated during, I think, Dr. [Max] Rafferty's administration as Superintendent of Public Instruction. Then the state enacted the George Moscone-Peter Chacon legislation, which was signed, as I recall, in Governor Reagan's years.

Prior to that, Senator [Alan] Short had authored legislation which legalized teaching in the public schools in a language other than English. Prior to the enactment of the Short legislation, that was illegal. That's why my pilot program was to teach English as a second language to [educationally] handicapped students, students with a deficiency in English.

- Rodda: Categorical aids--we also implemented another program, and I'm sure it was in Reagan's administration, having to do with the problem of the neurologically handicapped children and, also, emotionally disturbed children. The emotionally disturbed children's program was offered on a voluntary basis. So for children who were emotionally disturbed school districts could establish special programs. I think there was a modest level of state funding, provided on a matching basis. There was not very much of an incentive for schools to do so, since there was no mandate. But the state did mandate a program for the neurologically handicapped children. It was enacted after extensive legislative hearings.

I think the author of that legislation--it might not have been in Reagan's administration--was Assemblyman [Jerome] Waldie, who became a congressman and has been appointed to the Agricultural Labor Relations Board. Neurologically-handicapped children suffered from a functional disability which made it difficult for them to learn, even though in many instances they had normal or even superior intelligence.

So what started in those years was a number of compensatory education programs. Several were on a pilot program basis when federal money was introduced. In addition to those I have mentioned the legislature also enacted a bilingual-bicultural education program.

I think the special education program in reading was enacted under--it could have been under Reagan, but it could have been at the close of Brown's administration. It was the Miller-Unruh reading program.

Sharp: It must have been during senior Governor [Edmund G.] Brown's administration.

Rodda: Yes, very close to the end, I think. One of the first programs.

Sharp: When Wilson Riles came in, he had his own Early Childhood Education program.

Rodda: Well, yes, the Early Childhood Education program was initiated as a result of an agreement entered into when SB 90 was passed. It applied to students in grades K-3. The Miller-Unruh reading program was to provide reading specialists for students in the elementary schools.

Sharp: So they were entirely different programs?

Rodda: Yes. The Miller-Unruh reading program, in my opinion, was the most educationally effective categorical aid program and it was the least costly, because what it did was establish a procedure for training teachers so that they could become qualified reading

Rodda: specialists. The state paid districts extra money if they hired such teachers. The program costs the districts money, but the state provided a contribution. In 1969, I think, the expenditure level for that program was \$23 million, round figures. So the state had a Miller-Unruh reading program designed to improve reading abilities.

Then the state enacted a program for the gifted student. Now, I don't remember, but I think that it might have been enacted in Reagan's administration, and the author was a senator who is now a congressman; I think, Clair Burgener. You can check that. A program for what we referred to as the mentally gifted, it was optional on the part of the district. It's not called that anymore. [pauses to think of title] We've changed the title, but it's essentially the same program.

I'm trying to enumerate the categorical aid programs that were being brought into existence during those years. On the horizon for consideration during the late sixties was Early Childhood Education, and that program was finally authored by Senator [Mervyn] Dymally in 1972, which was the year the legislature passed SB 90, the tax relief-reform legislation. SB 90 was a tax relief measure which partially addressed the Serrano decision. Evidentially, someone in Dr. Riles's office had entered into an agreement with Governor Reagan that he, Dr. Riles, would agree to support SB 90, which he now regrets, I understand [chuckles]--if Early Childhood Education legislation was signed into law.

The Early Childhood Education concept I supported because it was my understanding that it would provide special education to address the needs of children who were educationally disadvantaged by virtue of the fact that they grew up in culturally disadvantaged and economically disadvantaged homes and therefore entered school as disadvantaged youth. Since they usually could not overcome that disadvantage, by the time they reached the fifth or the fourth grade, when their education became very dependent upon their English reading skills, they tended to do poorly. Ultimately they tended to lose their motivation and a large percentage of them became early dropouts.

Well, I originally supported Early Childhood Education because I thought that we were going to focus on the needs of those children. The concept originally included pre-kindergarten children, but when the bill was being considered, it was amended and so the program applied to kindergarten through grade three, as I recall--four grades. Dymally was the author, Riles was pushing it, and Reagan signed it because Riles supported SB 90.

Now, SB 90, when it was in its original form as approved by the senate, authored by Senator [Ralph] Dills, it was designed to address the Serrano-Priest decision almost exclusively. It was an

Rodda: effort to provide primarily school finance for school finance reform and secondarily for tax relief. It authorized a one-cent sales tax increase to finance the costs involved. After the senate approved it and when it was in the assembly the speaker, Moretti, introduced into it the provisions of AB 1000, Moretti.

The Moretti bill was an effort to achieve tax-relief reform with a modest increase in school finance funding and a modest element of school finance reform. That legislation was denied approval in the Senate Finance Committee. It was a joint effort of Reagan and Moretti. They introduced the provisions of AB 1000 into the bill, SB 90, and returned it to the senate for concurrence in the assembly amendments.

It was sent to a conference committee and finally a slightly modified bill emerged. The liberal Democrats did not like it, even though the conference committee had increased significantly the money for education which was allocated through legislation, special legislation to allow districts such as San Francisco and Berkeley which were wealthy districts, basic aid districts which were only entitled to state money in the amount of \$125 per unit of ADA. Additional money over the foundation level, which the districts could use for purposes of developing educational programs to meet the unique needs of their disadvantaged youth, was authorized by the special legislation. The districts would decide how the increased funds would be used. I think we called it the Educational Improvement Act, not the "school improvement"--SIP (School Improvement Program)--which is the term now used to identify the Early Childhood Education program.

But anyway, the state money during Reagan's administration never increased above a level of about \$10 million; that is, the "school improvement" money. That special program, School Improvement, was developed as a concept significantly as a result of some dialogues that I had with Dr. Ron Cox, who was then working in the Department of Education as the fiscal expert, school financing expert. He is now retired. The concept was regarded as a means to help basic aid districts address the problems and educational needs of their youth without providing the rigorous controls which normally are mandated in a categorical aid program. The program provided categorical aid in that the money was in addition to the state's foundation program appropriation to a district, but there were not the controls normally required. The concept was initiated in law before the Serrano-Priest decision was rendered by the courts.

In SB 90, as amended, the dollar amount for that program was increased significantly, I think to about \$90 million, as a result of the conference committee action. There were some elements of reform in SB 90, but basically it was a tax relief bill. It did

Rodda: address partly the Serrano decision; it did provide, therefore some school finance reform, and it did enhance the Educational Improvement program. It did become law. A lot of us in the senate voted "no" but there were not enough "no" votes to prevent its enactment. We opposed the bill because we regarded it as implementing inappropriate priorities, the priority being tax relief first and school finance reform second.

Dymally's bill on Early Childhood Education was signed into law by Governor Reagan at the same time. The Dymally bill, as I noted before, Childhood Education, had a provision which had resulted in an adverse effect on the ability of school districts to implement the Miller-Unruh reading specialists program. The districts lost money for payment of the Miller-Unruh reading teachers if they implemented "school improvement," or the Early Childhood program. Districts could not fully afford to finance the reading specialists, so they began to phase out the Miller-Unruh reading program. The administration was supportive of that result--the Reagan administration. So there were three pieces of legislation tied together, as it were.

[There was an] adverse effect upon the Miller-Unruh reading program as a result of this action. The state expenditure level fell ultimately to about \$13 million from a previous high level of \$21 million or \$22 million.

To my surprise, when they began implementation of Early Childhood, it was applied not in only low-wealth districts, where there were educational problems because of economic poverty and because of other social and economic conditions or disadvantages, but it was applied in the middle-income class schools, where the students were not educationally disadvantaged.

Early studies of the Early Childhood program indicated that it was not very effective, in that it could not really be established that there were educational benefits which related directly to the Early Childhood Education program. And that was especially true in the low-wealth school districts, or the school districts where there was a high incidence of disadvantaged youth, educationally disadvantaged youth. The factor which was responsible were the difficulties encountered in bringing qualified parents and aides to assist the children.

It achieved better results in middle-class communities where qualified parents were available to assist the teachers. Often such parents had university educations and they worked largely on a volunteer basis. The schools, therefore, had more meaningful community involvement. So the program was in a sense counter-productive, or not achieving its objective--helping the educationally disadvantaged.

The Impact of SB 90

Sharp: Do you have a sense of what the overall impact of SB 90 has been?

Rodda: Well, SB 90 was partially designed to bring about compliance with the Serrano-Priest decision, and one of its provisions was implementation of what I call the "compaction factor." Some call it the "squeeze factor," because it provided that average-wealth districts, would receive about a 7 percent increase in ADA per year, low-wealth districts an increase in excess of that, perhaps an increase as high as 10 or 11 percent. High-wealth districts, however, would receive a percentage increase which was related to the district's assessed value per unit of ADA as compared to the statewide average of assessed value per unit of ADA. If a district had a wealth which was two to one (the factor was two to one), or twice that of the average, their rate of increase was required to be one-half of the percentage increase for districts at the average. The percentage increase would be limited to about 3 1/2 per unit of ADA.

Since that time, because of SB 154, the state's one-year response to Prop 13, and AB 8, the long-run response, the state has addressed the Serrano decision in essentially the same way through a sliding-scale formula--although the school apportionment increases are not provided on a percentage basis, but rather on a dollar amount, the lower dollar amount going to so-called wealthy or high-wealth districts, and the higher dollar amount going to the low-wealth districts.

Districts such as San Francisco and Palo Alto and Carmel, I believe, and similar districts, which are classified as high-wealth or basic-aid districts, have had to operate since 1973, when the SB 90 became law, with school expenditure adjustments in the range of 2 1/2 or 3 percent. Inflation in 1973, as I said, was at about a 4.5 percent level. We did not anticipate at that time what would happen to the rate of inflation, or CPI.

I began to perceive the potential for a high rate of inflation when I wrote a paper on the energy crisis in 1973, September, before the Arabian oil embargo. The oil embargo by virtue of the action of the OPEC nations, contributed to inflation. And, of course, the U.S. involvement in the Vietnam War contributed to the increase in inflation. We've had double-digit inflation for a number of years since 1973 and the wealthy districts have had to live with a very low rate of increase in their authorized expenditure level. In that respect I think SB 90 was adverse in its effect. Furthermore, it did not convince the people that it really had done anything significant with respect to providing property tax relief.

Rodda: Maybe SB 90, the senate version, would have been worse in that it put most of the money in school finance reform because we designed it to address the Serrano-Priest decision, worse, therefore, insofar as it related to the taxpayer revolt. We knew that there was a taxpayer revolt, but we did not know how serious it was, and, furthermore, it did not become quite as serious until the impact of the oil embargo, and the increase in the oil price, and other factors began to affect the economy and stimulate the rate of inflation and the burden of the property tax on home owners.

To make a long story short, we had in those years to do two things. One, to implement a number of categorical aid programs, some of which we've discussed; and the second thing was to address the Serrano-Priest decision, which was made in '71. We made a significant effort in '72. The legislation was SB 90 and it provided for a "compaction factor," an automatic cost-of-living increase for the schools, and several other elements of school finance reform. One of the adverse effects, however, was that when the Early Childhood Education Program became law, its implementation led to a reduction in the funding level of the Miller-Unruh reading program. That annoyed me quite a bit. I have already spoken to that problem.

Sharp: I've been reading a lot of California Journal.\* The articles bring up more questions for me than they tend to answer. Getting your perspective on SB 90 fills in a lot of those questions.

### The Topic of Higher Education

Sharp: I wondered what you thought the main changes were in higher education during Reagan's years as governor. There was a very tumultuous situation right off the bat.

Rodda: Well, I wrote a paper on that subject, as you probably know.

Sharp: Oh, I hadn't seen that either.

Rodda: Yes. [pauses to think] There were two papers. One is entitled, "Higher Education, the Challenge," I think, and the other is entitled, "Student Activism: The New Style." It related to the attitude or the behavior of students during the militancy of the sixties. I'll get that for you if I have it.

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\*School financing is an important topic for California Journal in the Reagan years. See especially issues published in November, 1970; March and December, 1971; April and October, 1972; and June, 1974.

Rodda: Reagan capitalized in his election in 1966 on the fact that there was a lot of student unrest which reflected their dissatisfaction with the Vietnam War. It also reflected the new youth attitude, the emphasis on me-ism, the determination on the part of the youth to make the educational system more relevant, and the determination of ethnic minorities to introduce into the educational program curriculum studies relating to the culture of ethnic minorities. The movement focused on the institutions of higher education and started in Governor [Edmund G., Sr.] Brown's administration. It carried over into Governor Reagan's administration.

One instance was interesting. It related to the fact that the militants were inviting speakers to the campuses who were known to be radical with respect to their perspective. One instance occurred which attracted considerable attention. It resulted from an invitation to Eldridge Cleaver. In the senate a resolution was introduced condemning that action, as I recall, and there were two "no" votes in the senate on the resolution, Senator [Alfred] Alquist and I. It, of course, was quite controversial.

Governor Reagan, while a candidate, capitalized on the public's dissatisfaction with the student movement. There were instances in which the students did go beyond what I regarded as a normal form of protest in which the students would verbalize their concerns, for example, arranging for campus speakers, carrying and circulating signs, petitions. At the time, however, a small number of student activists or militants became involved in protest activities which were almost destructive of campus order and interfered significantly with the educational process.

A beautiful example of that form of behavior occurred at Cal State San Francisco. In response [S.I.] Hayakawa, then president of the university, came out and unplugged the speakers located on top of a van. He was wearing his tam o'shanter. His behavior gained him national publicity, which he capitalized upon subsequently when he ran for the U.S. Senate. He had become president of that institution, because the liberal faculty members were not adequately supportive of the president who was a moderate liberal and was replaced. I think the moderate president's name was Dr. John Summerskill.

Summerskill was not able to retain his position because of the serious level of student militancy and unrest, and the board of trustees hired Hayakawa. Had the liberals been more responsive, supported him [Summerskill], they might have had a different kind of direction on that campus. But the important thing is that that incident, and similar activities on the part of active students created a considerable amount of public dissatisfaction and discontent with higher education and student activism. Reagan capitalized on the campus issue in his campaign for election in 1966.



Rodda: Two years before Brown's termination of office, Governor Brown had been somewhat severe in his budgeting for the university and the state university and college system. I think the budget expenditure percentage increase was in the neighborhood of 3 percent or something of that magnitude. It was an increase which the faculty interpreted as quite inadequate.

When Governor Brown ran for re-election, therefore, one could not convince them of the need for his re-election. I mean, that I had no success, when I undertook to educate political supporters of mine who were faculty members at Cal State University, Sacramento, with respect to what the implications were if they elected Governor Reagan. The problem was that they were disappointed with Governor Brown, and they were not willing to become involved, and they didn't. They just, in effect, sat the election out. This type of behavior, I am convinced occurred in other areas of the state and for similar reasons.

Reagan was able to capitalize on the discontents which related to the public's attitude toward higher education and the public's attitude toward students as well as the dissatisfaction of the faculty.

When Governor Reagan was elected he was committed to raising student tuition for university students. Tuition was increased by the Regents. Assemblyman John Vasconcellos and I went before the Regents at a meeting in San Francisco and testified against the tuition increase, but there was little sentiment against such an increase in the legislature and among the citizenry.

Governor Reagan was restrictive in his budgeting for the institutions of higher education. He, also, supported legislation which was designed significantly to intrude upon the autonomy of higher education. The legislation would have denied certain people under certain conditions access to the university campuses. I thought that such a course of action was an inappropriate way to address the problems which related to incidents of student unrest and activism, and such incidences as the Eldridge Cleaver campus presentation.

So I opposed the threat to academic freedom and the autonomy of higher education, and my paper addresses that issue. The fact is, I outlined in detail the bills under consideration which related to that issue, some of which were supported by Governor Reagan. Fortunately, not many of them went to his desk.

Rodda: What I'm trying to say, however, is that higher education was not looked upon as a very high priority. The funding level increase was very modest and under the circumstances it did not relate adequately to the inflationary forces which were in effect. And, of course, the administration supported tuition, which was put in effect.

But I don't know whether that is a response to your question or not.

Sharp: Yes. The record on higher education in California during Reagan's period reads on a couple different levels because there is this campus unrest, and the question of what is a governor supposed to do in that situation, and then there was the issue of tuition and budgeting for the state campuses. It all got tied up together into a rough situation.

Rodda: Right. It was a popular issue. And [Pat] Brown had to live with that issue and he had, also, to live with the issue of the unrest in the area of agricultural labor relations, and the movement of [César] Chavez to achieve collective bargaining and frequent threat to agricultural production, because of farm labor strikes. Brown had the problem of the Vietnam situation also since he had supported the position of the Johnson administration. In summary: Governor Brown had to cope with the problems of agricultural unrest, the problem of higher education student unrest and student activism, and the Vietnam war.

Governor Reagan was able to capitalize on those issues in his campaign; he was the good guy wearing a white hat, as you know, and riding a white horse however you wish to describe his image.

But in many ways Reagan was not as negative as maybe I have portrayed him. He proved to be rather an astute politician, and he learned to accept the reality of politics and the necessity of compromise. He did not want the Early Childhood Education law, and the Republicans, as I've indicated, eliminated classes before kindergarten, so it was K-3. But he signed the legislation because that action brought him the support of Dr. Wilson Riles on SB 90, the 1972 tax relief-reform measure.

#### Reagan's Relationship with the Legislature##

Sharp: This learning how to deal with politics and how to compromise, was this more in Reagan's second term than it was in his first?

Rodda: [pauses to think] Let's see. He was elected in '66, re-elected in '70.

Sharp: Because all these important bills we're talking about are after 1970.

Rodda: Well, in the first years of his administration, he was fortunate in that he had more political clout in the two houses of the legislature; so there was less need for compromise.

As a matter of fact, Republican Senator Howard Way was President pro Tem of the senate for about six months after Senator [Hugh] Burns was deprived of that office. Then [Jack] Schrade, a Republican, became President pro Tem. When he was ousted, of course, [James] Mills became President pro Tem. On the assembly side, Assemblyman Bob Monagan, a Republican, was the Speaker; he served for about two years. At that time the Republicans had a bare majority in the senate and, I think, a bare majority in the assembly. (I would not want to vouch for that statement.)

As time passed the political pendulum moved to the left in Reagan's administration, and so Governor Reagan's political power was diminished; that is, his legislative power was diminished.

Governor Reagan did succeed, however, in enacting some reform in the area of health and welfare, and he also signed the Beilenson Act, which authorized therapeutic abortion. That legislation was a result of a tremendous compromise effort.\* The effort to reform the welfare program was also a compromise. The effort to achieve tax relief, SB 90, was another compromise. At the time Governor Reagan worked very closely with [Robert] Moretti, assembly Speaker.

So, in answer to your question, I think I must indicate that the difficult years for Democrats were those of the first administration when Reagan was more powerful because of his support in the assembly and the senate. That gradually diminished, of course, and so he had to be more sensitive to the world of political reality, and I must conclude that he was that kind of a person. He went along with programs that he did not particularly want or did not particularly reflect his basic philosophy.

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\*See pp. 140-143 above for additional discussion.

The Role of the Senate Education Committee

Sharp: I wanted to get a sense of what you thought the role of the Senate Education Committee was in these years.

Rodda: Well, I chaired it for ten years and I had some outstanding consultants; I had Jerry [Gerald C.] Hayward, now chancellor of the community colleges, and John Bukey. He [Bukey] had been a dean of men at the University of California, Davis, before he became a consultant. Jerry Hayward was working on his doctorate and he had been a school administrator before he became the principal consultant to the committee. And, Jan Denton, now director of the Department of Conservation, came in as a consultant.

They are all outstanding people and they developed a unique knowledge of the whole issue of school finance, which was beginning to be more and more complicated by virtue of the implications of the Serrano decision and efforts by the legislature to achieve compliance, and by virtue also of the fact that the state had initiated so many categorical aid programs to address the unique needs of children.

The Education Committee was very good in that respect--the quality of its consultants and their expertise and knowledge. I was able, as a consequence, to become significantly involved in school finance reform.

In Reagan's administration, I was active in that area, but under that administration there was less potential for the chairman of the Education Committee to provide meaningful leadership because to do that he needed meaningful cooperation with the administration, and we did not always have that. Reagan related more meaningfully to Moretti, as I have commented before.

I did use the Education Committee, however, to try to provide some leadership in the achievement of school finance reform and in the area of categorical aid programs, although, as I've already indicated, toward the beginning of the '70s I began to have reservations about the categorical aid programs, especially because of the impact of the Serrano-Priest decision and the funding for these programs was outside of the Serrano decision finance reform mandate. I wanted to concentrate the state's financial resources on school finance reform because I believed that to be a necessity, if the state was to protect regular education programs. I wanted to put more state money into financing the schools to bring up the level of funding for low-wealth districts rather than to take money from the high-wealth districts and transfer it to the poor districts. With the compaction or squeeze factor formula we did that; we took from the rich and gave to the poor.

Rodda: I would like to have allocated more from the state's resources to the poor and not adversely, therefore, impacting on the rich districts. I sought to take some of the money from the modest surplus which the state had developed and direct it to school finance reform. The Reagan surplus was not significant because the state was going into a recession, the recession of '73-'74, '74-'75. So, only a modest amount of money was available.

I just couldn't understand why the state would continue to implement categorical aid programs when we were not fully or adequately addressing Serrano, and by virtue of that fact were withholding funds from high-wealth districts, some of which did not have the benefit of categorical aid money, or if they did, since the categorical money was not free money, the districts were not free to use the money for what they thought were the needs of their district. They were restricted in the use of the money by virtue of the fact that the money was categorical aid money. The regular education program, in my view, was being adversely affected.

Well, that was the basic philosophy that developed with respect to my thinking when I served as chairman of the Education Committee during those years.

#### Opposition to the County-Wide or State-Wide Tax

Sharp: This is getting a little ahead, but I wanted to bring it up now because it fits in. I saw an article in California Journal written in March of 1971, and it was a discussion about the need for a state-wide property tax. It said that was really the remedy for the school financing problem.\* The article mentioned that you sponsored SB 129, which didn't pass but would have helped to establish this change in the taxing structure.

I wondered if you could say something generally about the opposition to county-wide and to state-wide taxing in this 1966-1974 period because it's elusive to me.

Rodda: Well, I can't remember the provisions of SB 129. I do remember SB 65; I'll start with that.

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\*See "State-wide Property Tax for Schools," California Journal, March 1971, p. 72.

Rodda: In Governor [Edmund G., Sr.] Brown's administration it was recognized that there were gross inequities in the way in which schools were financed, and we decided that we could address them in part with the state-wide property tax, but that was politically unrealistic. So Governor Brown sponsored a county-wide tax for school support, and I was the only one who was willing to author it, which I did--SB 65, as I recall. It might have been in 1963 or 1964. It was denied approval in the Finance Committee.

Well, there continued to be some interest in this concept, and there were efforts made to implement a state-wide school finance property tax, but it had less appeal than the county-wide tax did.

The county-wide tax for support to schools was opposed by agricultural interests, the industrial and commercial enterprise groups, and the basic aid districts themselves. I admonished them not to do that. I said, "You should support constructive reform because if you don't, you're liable to end up with destructive reform," but they don't listen. So they did not support the county-wide tax proposal, and there was no support subsequently for the state-wide tax.

Now, I don't remember 129. What year was that? Do you remember?

Sharp: This article was March, '71.

Rodda: March, '71. [meditatively] I'd have to check it out. I have quite a bit of material.

Incidentally, in the State Archives there are copies of all my bills in the files. You could look up the 1971 or '70 file and find SB 129. You could have a copy made of it and any comments. I left all the correspondence with it. My recollection is vague and only that I did introduce such legislation but there were so many competing bills and that the idea was so unpopular that I dropped it. I recall the county-wide tax bill because of the lengthy and controversial hearing before the Senate Finance Committee. Incidentally, Polly Gardner, my secretary and later secretary to the Education and Finance Committees when I chaired them, attended the hearing. She was so interested that she cried, I am told, when the bill was defeated.

There was little support for the concept of the state-wide property tax, less than there was for the county-wide.

We did develop rather remarkable approaches to the whole issue of school finance as we studied the issue. I used to tell my principal consultant, Jerry Hayward, to "Stand in the corner on your

Rodda: head and think irrationally, and maybe you'll develop a solution to Serrano,"--and we did to a certain extent. Had AB 65 been allowed to become fully implemented, we would have achieved a remarkable degree of compliance with the Serrano decision, but its implementation was disrupted by virtue of voter approval of [Proposition] 13. There were some rather interesting elements in the bill and I have careful analysis of the revisions of AB 65 in case you ever want it. [chuckles] AB 65, Greene, was a joint effort. I amended SB 525, Rodda, into AB 65 and it became law after a compromise was attained by the Conference Committee. It was 1977, as I recall.

But I'll check that out, SB 129.

### The Voucher Plan

Rodda: Incidentally, the voucher plan was a concept being advocated in those years, and one of its sponsors was Senator John Harmer. We, the opponents, did succeed in defeating efforts to implement the voucher plan at that time through statutory change. One bill with very limited provisions did become law. It was Senator Harmer's bill, which allowed, on an experimental basis, implementation of a modified "family choice" plan in a school district in Santa Clara County. Isn't that funny? I can't think of it now. [pauses to think]

Sharp: It's called Alum Rock.

Rodda: The Alum Rock experiment.\* We eliminated from the bill the inclusion of religious schools and provided that private schools which wanted to participate, which meant utilization of federal funds to implement the administrative costs which were necessary, would have to transfer control to the Alum Rock School District, so in effect they would be private but they would be--publically directed.

Sharp: Sort of.

Rodda: Yes. And, of course, no private schools wished to surrender its autonomy. So the result was a pilot program with respect to the voucher plan or "family choice," except that the choice was limited to alternative schools or experimental schools within the Alum Rock School District. Parents had a right to have their children attend schools which were more traditional, or more innovative, and the

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\*This voucher system was tried in a small school in San Jose, Alum Rock Union Elementary School in 1971, with federal funds.

Rodda: money from the federal government was used to bus the students, to hire teacher aides, and to pay for the administrative cost. But that program was a modified form of the "voucher plan."

Another bill was authored by Senator John Dunlap, then Assemblyman Dunlap, which, I think, became law in about '72 or '73, to allow districts to introduce alternative programs designed to address the unique needs of children within the regular educational program. I do not think much ever came of that change in the law. I presented the bill on the senate floor.

There was a sentiment near the end of the Reagan administration toward a return to the basics, and I've written a paper on that subject too. That paper is called "Public Education: The Politician's Dilemma." In fact, I think I delivered it at a graduation ceremony at the University of California in the School of Education. I pointed out that the trend was toward a return to the basics and elimination of some of the school reform programs that had been initiated, in the late sixties. They were programs, such as individualized instruction, open classrooms, and alternative schools.

Sharp: Well, I have noticed in just the brief amount of research that I've done so far that the funding for special programs really slipped off at the end, within the last two years of Reagan's administration.

Rodda: Of Reagan's administration, yes. There was such a sentiment and, as I said, that was "the politician's dilemma."

I was somewhat supportive of that trend, but I think for a different reason. I would have liked to retain the money and make it available for school finance reform in order to address Serrano. The Reagan administration preferred to hold the money for other purposes.

The Reagan administration was confronted with rather a serious state fiscal problem toward the end of Governor Reagan's second administration. That is why, in order to implement SB 90, there was a need for an increase in the taxes on corporate profits and banks, and also a one-cent sales tax increase. SB 90 did contain a reform which benefitted corporate enterprise with respect to the buy-out of the business inventory tax, and it did provide a significant amount of home owner relief, and a modest amount of renter relief. In addition it provided more money for the schools and a modest implementation of reform to address Serrano's mandate.

Sharp: No, it really does fit together.



Sharp: The way you speak about the changes during the Reagan administration in education, the shifting back and forth before and after Serrano, and the very complex nature of what Serrano did--it helps me enormously to put the picture of school financing together.

### Collective Bargaining for Teachers

Rodda: During those years in Reagan's administration I was also involved in collective bargaining for education. A massive effort to implement collective bargaining was undertaken by Senator George Moscone, and prior to that by Senator [Mervyn] Dymally. The Moscone bill (I think it was either SB 4 or SB 400) would have provided collective bargaining for all segments of public education, K [kindergarten] through the university, and it was sponsored by faculty organizations largely (CTA, AFT and UPC)\* working together. The legislation had a wide-open definition of the scope of negotiations and it was silent on the right to strike, and had no statement of management rights, as I recall. Governor Reagan vetoed it--the Moscone version.

Well, John Bukey, who was my Education Committee consultant, was assigned the total responsibility for the development of a collective bargaining bill--and I chaired an interim hearing on collective bargaining, I believe in 1973. I did not try to implement the hearings in the form of a bill because I knew no one would pay any attention to it at that time; there were so many groups involved in the enactment of the Moscone legislation.

The following year though (I think it was '74) I authored SB 1857, which had the support of school administrators and school boards and UTLA, United Teachers of Los Angeles. It would have been signed by Governor Reagan, had it been placed on his desk. It only applied to K-12. I excluded all of the segments of higher education because I wanted to protect the role of the academic senates in educational policy, and I was afraid collective bargaining, if not properly implemented, would threaten that responsibility for shared governance. But anyway, the bill failed in the Assembly Ways and Means Committee by two votes. I could have passed it, except one man switched and I lost another vote.

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\*California Teachers Association, American Federation of Teachers, and United Professors of California.

Rodda: The following year, I introduced SB 160, but this was not in Reagan's administration, it was in the year after Reagan; it was in 1975. So there was a very serious effort being made in the last two years of Governor Reagan's administration to implement collective bargaining for state, local government, and also for education, K through the university, and he vetoed that one massive bill in the area of collective bargaining for public education, K through the university.

I was involved in collective bargaining, I was involved in school finance as chairman of the Education Committee, and I was involved significantly in trying, because of concerns about school finance, to reform the school financing law and also to be much more responsible in the way in which the state expanded categorical education programs. The only one that I really thought was worthwhile, was the Miller-Unruh reading program.

### Sex Education

Rodda: Incidentally, on that Schmitz bill--may I say something about that?\* I authored a bill before that became law. I just happened to see a reference to it here [on the interview outline].

My concern was that children were not adequately informed with respect to sex relations. I didn't want to be categorized as an advocate of sexual permissiveness, but I thought that since parents weren't necessarily educating their children, the schools should educate the children, and that the schools should be allowed to have courses in family education. (I've forgotten the exact terminology.) My efforts were defeated, and March Fong Eu, I think, finally authored a bill which was a modification of my original bill.\*\*

Schmitz always opposed our legislation. He did require, through his legislation, that parents must have the opportunity to evaluate the materials and to withdraw their children from the class if they

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\*SB 413, passed in 1969, was authored by Senator John Schmitz. This bill stipulated that a teacher who failed to notify a parent that sex education would be taught risked suspension, and carried special penalties for violators.

\*\*After several revisions, March Fong Eu's bill was passed and signed by Governor Reagan.

Rodda: didn't approve of the instructional materials. Before any materials could be used they had to be made available for parent evaluation, which maybe is not a bad idea, and it did become law.

However, I haven't been too satisfied with the effort to educate students in family relations, which means it involves sex education, and in enhancing and improving the attitude of young people with respect to sex. I notice that there is an article in today's paper about the attitude of higher education students today toward sex. They want a permissive world for themselves, although they're more conservative with respect to the economic, social, and political institutions and practices of the country. I regard them as not being very positive about our nation. They want to be more free as individuals and this relates to sex behavior.

I recognized we had a problem and so years ago tried to address that through the implementation of character education in the schools. I succeeded in compiling a Compendium on Character Education. It is available in the offices of the county superintendent of schools. My interest was to make information available to school districts about programs in the area of character education so that they might be able to initiate such instruction if they wished. The idea was to encourage voluntary programs and not to mandate such educational programs.

Sharp: It must be a difficult subject to teach.

Rodda: It is. I don't know why I got involved with some of these things.

Sharp: Thank you for your time. I know you have another meeting.

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## APPENDIX A

The following speeches and papers are referred to in this oral history and are available in The Bancroft Library. In addition to this list there are other materials in Senator Rodda's file at The Bancroft Library which he donated in the course of the interviewing. Another much larger group of Senator Rodda's materials have been deposited in the library at California State University at Sacramento.

Untitled speech, ca. 1963, on liberalism and extremism

Speech, "Remarks on the Rumford Act and the Housing Initiative," 1964

Speech for Reapportionment, February 1965

Speech, to annual convention of California Council of Democratic Clubs,  
March 1965

Speech, on passage of AB 145, at Davis, 1965

Speech, "Government: Friend or Enemy?," March 1966

Speech, Introduction of the Honorable Edmund G. Brown [Sr.], May 1966

"An Interview with Senator Rodda," Los Angeles County Schools Bulletin,  
May 1968

Speech, "The Politician's Dilemma: or Which Decalogue?," January 1975

Paper, "Fiscal Implications of Jarvis II for the State of California and  
Agencies of California Local Government, including the Schools,  
as viewed from the Perspective of a Practical Politician," January 1980

"Jarvis II Update: A Conversation with Senator Rodda," State of the Arts,  
California Arts Council, April 1980

Editor of the Sacramento Bee:

Recently an attempt was made by certain members of the Sacramento County Democratic Central Committee to overthrow the incumbent chairman, Robert A. Zarick. The effort failed, and the "insurgents," as they were described in the local newspapers, were defeated by the Zarick forces.

Throughout the struggle to remove Mr. Zarick, the insurgents avoided making any charges against the incumbent chairman. This was pointed out by Senator Desmond, who demanded that formal charges be made against Mr. Zarick. This was obviously an attempt by the Senator to twist the action against Mr. Zarick into some sort of trial proceedings and deceive the public as to what was the actual issue involved. It seems, therefore, that a proper respect for the opinions of fellow Democrats requires that we state the reason why we, the so-called rebels, undertook our action against Mr. Zarick.

From the beginning the anti-Zarick campaign was strictly political. Its purpose was to wrest control of the Sacramento County Democratic Central Committee from Mr. Robert A. Zarick and those who have kept him in that position. This group includes Senator Earl Desmond, Jesse Fluaharty, Jack Welsh, E. Vane Miller and several others who consistently voted in support of the Zarick faction, whether on the main motion or only upon the procedural motions.

We simply wished to take control of the Central Committee because we believed that it was necessary to do this if the Democratic Party were to exercise its proper strength and prestige in Sacramento County.

We believe that the present leadership is woefully inadequate and characterized by an almost purposeful disregard for the best interests of the Democratic Party. We submit the following in support of this contention:

The chairman, Mr. Robert A. Zarick, has from time to time arrogated the authority of the Committee and taken action of a grave character without consultation with or approval of the Central Committee. An example of this, which occurred during the general election in November, was Mr. Zarick's unauthorized use of the Democratic Party mailing piece to support a non-partisan candidate for the position of Superior Court Judge. This action split the Democrats in Sacramento over a non-partisan election and certainly jeopardized the election chances of Democratic partisan candidates.

Historically, under the leadership of Mr. Zarick, the Central Committee has given very meager financial support to the Party candidates. In the November election, for example, the Central Committee raised only thirteen hundred dollars. It is now allegedly in debt in the sum of about twelve hundred dollars; no one knows just how much is actually owed. Furthermore, in the general election only one Democratic candidate received any direct financial aid from the Central Committee. The favored candidate was Jesse Fluaharty, a

long-time supporter of Mr. Zarick; he received one hundred dollars. Incidentally, this money was given Mr. Fluharty by Mr. Zarick without the approval of the Central Committee. None of the other Democratic candidates received any money from the Central Committee. This includes the Honorable John E. Moss, Jr., George E. Johnson, and John Reynolds, all Democratic nominees and all residents of Sacramento.

And, finally, Mr. Robert A. Zarick relies too heavily for his tenure of power upon the support of Senator Earl Desmond. We do not like this because we do not regard Senator Desmond as a real Democrat and as one who should exercise significant influence upon the control and direction of the Sacramento County Democratic Central Committee.

Some facts concerning Senator Desmond's Democratic record are rather interesting. In 1952 he opposed action by the Democratic Central Committee to endorse the Honorable John E. Moss, the Democratic nominee for Congress. In 1952, one of the local newspapers noted the appearance of Senator Desmond at a Nixon rally in the Plaza, where Senator Desmond patted the vice-president on the back, which was interpreted as an expression of personal encouragement. During the 1952 and 1954 campaigns, Senator Desmond was conspicuous in his absence from active participation in all campaigns on behalf of Democratic candidates. At the meeting of the Central Committee, last December 14, Senator Desmond bragged of his unwillingness to support Democratic candidates and of his support of Republican Lieutenant Governor Butch Powers.

This more or less summarizes the reasons for our rebellion against Mr. Robert A. Zarick. It seems to us that more could be done to advance the interests of the party than is being done. We also believe that a different political orientation in the leadership of the party would be beneficial and more in harmony with the goals and principles of the Democratic Party.

It is our view that the Central Committee fails miserably to represent the point-of-view of the Democratic Party in this County. The chairman on no occasion to my knowledge has stated publicly the position of the Party on any important issue or defended the Party against innumerable charges made by the Republican opposition. By failing to act as spokesman of the Party, Mr. Zarick has neglected one of the important duties of the chairman--a neglect which has seriously interfered with the progress of the Party in the presentation of its principles and in the consolidation of its position in the community. Because of this deficiency the Party remains inarticulate and there is no identification in the minds of registered Democrats with the Party, its candidates, and its principles and programs.





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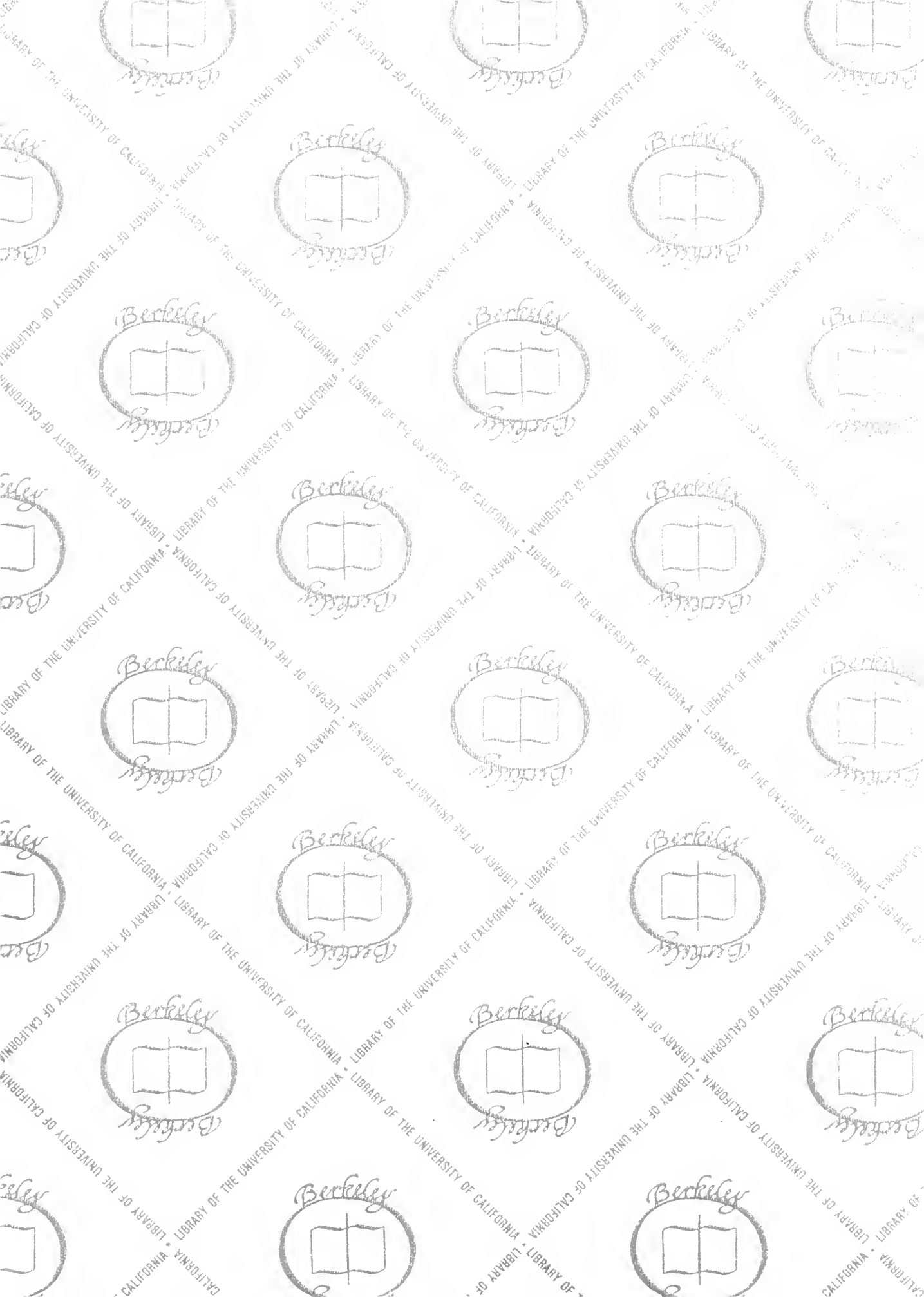












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